

## MINUTES OF THE JUNE 23, 2011 KEYPORT UNIFIED PLANNING BOARD

The Keyport Unified Planning Board held a Regular Meeting on June 23, 2011 which was called to order at 7:05 PM in the Council Chambers at Borough Hall, 70 West Front Street, Keyport, NJ, called to order by Marc Sessa, the Sunshine Law Notice was read followed by the Flag Salute.

### Roll Call:

**Present:** Mayor McLeod, Councilman Sheridan, Richard Hassmiller, Marc Sessa, Allen Hudson, Robert Burlew, John Ambrose, Joy-Michele Tomczak, John Kovacs Alternates: Juan Carlos-Oviedo(arrived 7:22pm), Joseph Wedick (arrived 7:04pm). Others Present, Planning Board Attorney, Marc Leckstein, Planning Board Engineer, Fran Mullan.

### Absent:

**PROFESIONALS SWORN IN:** Francis Mullan, Engineer

### VOUCHERS:

Leckstein & Leckstein                      invoice for June meeting                      \$ 250.00

.Motion to approve made by M. Sessa, second by J. Sheridan with ayes by all present

**Minutes:** May 26, 2011

Motion to approve moved by A. Hudson, second by J. Sheridan with ayes by all present

### CORRESPONDENCE:

1. Letter from Mr. Cienki, Esq. asking for his application fees and escrow monies to be returned to his client Mr. Arkadius Tarniowy ( I have attached print out from finance department as to what Mr. Tarniowy has in his account)

Motion to approve the return of money in escrow account; moved by Mr. Sheridan, second by Mr. Sessa with ayes by all present.

2. Information from Monmouth County Planning Board regarding Magazine New Residential Development 2010 (this magazine is on file with the Planning Board Secretary)

Motion to receive and file moved by Mr. Sheridan, second by Mr. Sessa with ayes by all present.

(if needed Oviedo, Wedick)

The Board asked that we change the agenda to do Old Business first.

## **OLD BUSINESS**

Application No. 09-08 - Campo Amended Application 09-08 (asked to be carried over until the July 28, 2011 meeting)  
Use Variance  
Block 94 Lot 40

Mr. Leckstein explained that Ms. Campo failed to notice the paper and asked that the Board carry the application to the July 28, 2011 meeting without re-noticing the residents.

Mr. Kovacs replied that this has been the third time that the applicant failed to notice properly. Mr. Kovacs asked that we wait until the applicant is serious to reschedule her application.

Mr. Sessa agreed with Mr. Kovacs and wants the residents to be re-noticed when the application will be heard.

Mr. Burlew stated that they have a court order to come before the Board two months ago; there are zoning summons that the applicant has to go to court for. Also, would like applicant to re-notice residents.

Mr. Lane spoke about the zoning officer to look at application; Mr. Leckstein asked how Planning Board directs zoning officer to review application under what statute is this stated.

Mayor stated that the proper forum would be to take it to Mayor and Council to discuss possibly goes to Superior Court.

Mr. Lane stated that resident come to every meeting for this application.

Mayor replied that the Board does not have the power the Borough does.

Mr. Wedick asked the application address; 179 First Street

## **NEW BUSINESS:**

Application No. 11-04 – Mr. Michael Bauer – Bulk Variance  
131 Second Street  
Block 125, Lot 20

Mr & Mrs. Bauer was sworn in

Mr. Bauer explained the history of when he moved into Keyport. Mr. Bauer stated he wants to add two bedrooms to the second floor, there would be no plumbing just electric.

Mr. Bauer explained how the house is situation one master bedroom one office.

Mr. Leckstein entered Exhibits:

A1 (set) - rear elevation and second floor  
A2 – survey prepared by Michael J. Weber Esquire

Mr. Hassmiller asked Mr. Mullan about the application.

Mr. Mullan stated that he reviewed application, went through completeness review. Mr. Mullan

stated he has no big concerns. Mr. Mullan would like clarification based on limits of the second

floor addition. Mr. Mullan asked Mr. Bauer if he was proposing to go past the existing sidewall; only spot that will happen is the rear of the house, it would go over the patio.

Mr. Mullan asked if the patio will remain open; yes.

There was discussion on set backs and lot area. Mr. Mullan asked Mr. Bauer to explain parking arrangement. How many cars can park in driveway, two spaces for two bedrooms; three spaces three bedrooms. Mr. Bauer explained that there are two driveways one is shared and one is their own.

Mr. Mullan felt that there would be acceptable parking after further discussions.

The sketches were prepared by the applicant the proposed outside dimension is 17 feet by 22 feet long, same width as existing house. Mr. Bauer stated that the addition would be lower than existing house by approximately 3 feet.

Mr. Mullan asked about the existing curb work and driveway; Mr. Bauer stated if the Board requested he would fix it.

Mr. Mullan asked if there would be any new electrical lines brought into the house; no all electrical work will be done internal.

Mr. Leckstein asked if the addition would match the existing house; yes.

Mr. Burlew spoke about the site plan and the sketch, wanted to make sure where the windows would be placed. After further discussion the applicant agreed to submit new plans for the windows.

Mr. Mullan stated if applicant was approved the changes would have to comply with building code.

Mr. Hassmiller stated that plans have to be very close to what was submitted and that Mr. Mullan will have to approve.

Mr. Burlew spoke of the cost factor.

Mr. Hassmiller asked if anyone had any further questions; no.

Mr. Leckstein entered the Letter from T&M as Exhibit 1.

Open to the public at 7:45 pm. There were no comments or questions from the public the meeting was closed to the public at 7:45pm.

Motion to approve application moved by Mr. Hassmiller, second by Mr. Sessa

Roll Call: Ayes: Mayor McLeod, Mr. Hassmiller, Mr. Sheridan, Mr. Kovacs, Mr. Sessa, Mr. Hudson, Mr. Ambrose Ms. Tomczak

Nays:

Abstain: R. Burlew

Absent:

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Mr. Leckstein would like to vote on the concrete in front of the house being replaced as part of the resolution

Motion to approve application moved by Mr. Hassmiller, second by Mr. Sessa

Roll Call: Ayes: Mayor McLeod, Mr. Hassmiller, Mr. Sheridan, Mr. Kovacs, Mr. Sessa, Mr. Hudson, Mr. Ambrose Ms. Tomczak

Nays:

Abstain: R. Burlew

Absent:

Application No. 11-06 – Mr. and Mrs. Douglas Grandon – Bulk Variance  
313 Broad Street  
Block 67, Lot 23

Mr. and Mrs. Grandon was sworn in

Mr. Leckstein entered exhibits:

A1 – survey dated 6/2/2011

A2 – series of photos that Ms. Grandon has taken within the last three weeks

A3 – floor plans of garage

Mr. Hassmiller asked if they want to convert the garage to living space with bedroom and bathroom.

Mr. Grandon explained that they will be having his mother move in and because of physical disability his mother can not do stairs.

The front of the attached garage is adjacent to the covered porch; yes.

Mr. Grandon stated that the garage in the back can be accessed by lot next to house, which can fit approximately ten cars.

Mr. Mullan stated that the garage door would be replaced with two egress windows of approximately 36 inches in with, and that the windows would be facing the street; yes

Mr Grandon spoke about the plumbing being placed under the drop floor and the heating would be forced air.

Ms. Tomczak asked the number of bedrooms at the present time; four

Mr. Kovacs stated that the garage and the covered porch meet; everything is flushed with roof

Mr. Leckstein asked if there was going to be any separate entrance to enter; no only entrance is through the main front door.

Mr. Mullan spoke about the parking, clarified that the framed garage in the rear yard is not lived in. On the survey the rear property line three feet over. Ms. Grandon explained that the rear yard backs up to the central school and did get approval for garage. The other shed is a Tupperware shed and can be moved if the Board would like it moved.

Mr. Mullan asked about the utilities confirms that everything will be done inside the house.

Mr. Hassmiller asked the Board if there were any questions; no

Open to the public at 7:59PM

Mr. Lane, 51 First Street, has no problem with application just wanted to let applicant know that it is listed as a two unit site; Ms. Grandon explained that prior to the new house there was a two family construction the Borough changed it to a one family

No further comments or questions from the public closed at 8:01pm

Motion to approve application moved by Mr. Kovacs, second by Mayor McLeod.

Roll Call: Ayes: Mayor McLeod, Mr. Hassmiller, Mr. Sheridan, Mr. Kovacs, Mr. Sessa, Mr. Hudson, Mr. Ambrose Ms. Tomczak

Nays:

Abstain: R. Burlew

Absent:

#### **ANY OTHER BUSINESS OR DISCUSSIONS:**

Mr. Leckstein would like to vote on resolutions for the Food Ministerium and Mr. Dickinson.

Mr. Leckstein read the Food Ministerium resolution.

Motion to approve resolution made by Mr. Kovacs second by Mr. Sessa

Roll Call: Ayes: Mayor McLeod, Mr. Sheridan, Mr. Kovacs, Mr. Sessa, Mr. Hudson Ms. Tomczak

Nays:

Abstain:

Absent:

Mr. Leckstein read the resolution for Mr. Dickinson.

Motion to approve resolution made by Mr. Kovacs second by Ms. Tomczak

Roll Call: Ayes: Mr. Kovacs, Mr. Sessa, Mr. Hudson Ms. Tomczak, Mr. Oviedo

Nays:

Abstain

Absent:

Mr. Burlew is asking that the resolutions get signed tonight as well as the plans.

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Mr. Leckstein asked about the Master Plan moving forward; Board commented will have to hold off for now.

## **PUBLIC SESSION**

The meeting was open to the public at 8:12 pm

Resident, Ken Barto, 70 East Front Street, stated that he has attended this meeting as well as ones in the past regarding the Campo application so he can speak of the use variance. Mr. Barto is asking the Board to please have this application be carried over until August; he will not be able to attend in July.

Board will carry Campo's application until August and will have to re-notice.

Mr. Lane, spoke of past conditions with time constraints he would like a time limit placed on this. Also, Mr. Dickinson loft is already occupied, illegally which doesn't comply with resolution requirement. Mr. Leckstein explained that Mr. Lane would have to go to court if they are in violation and there would be summons issued.

Mr. Burlew asked Mr. Lane if in fact he has proof that someone is living there; Mr. Lane replied just what was said. Mr. Burlew stated he would look into this.

The next regularly scheduled Planning Board Meeting will be Thursday, July 28, 2011.

**ADJOURNMENT: 8:18 PM**