

FAIR HAVEN ZONING BOARD OF ADJUSTMENT

Regular Meeting Minutes July 12, 2018

The meeting was called to order at 7:20 by Mr. Lehder, Chair, with a reading of the Open Public Meetings Act Statement (attached), followed by the pledge to the flag.

Mr. Ludman was sworn in as a member of the Board prior to the start of the meeting.

1. ROLL CALL

Present: Mr. McGurl, Mr. Neczesny, Mr. Ridgeway, Mrs. Quigley, Mr. Ryan, Mr. Ludman, Mrs. Ylagan, Mr. Lehder

Absent: Mr. Schiavetti

Also Present: Mr. Irene, Board Attorney, Ms. Gable, Board Planner

2. OLD BUSINESS

Greenblatt – 1 Hance Rd, Block 78, Lot 11.01 – R-30 zone – Application for demolition of all existing improvements, construction of new dwelling, garage, pool, cabana

A request was made to carry to the August agenda. Following discussion:

MOTION by Lehder, second by Quigley, to carry the application to the September 6, 2018 meeting, with no additional notice required and with the stipulation of extended time.

In Favor: : Mr. McGurl, Mr. Neczesny, Mr. Ridgeway, Mrs. Quigley, Mr. Ryan, Mrs. Ylagan, Mr. Lehder

Garfunkle – 9 Williams St., Block 45, Lot 27, R-5 zone, Application for second story addition –

Matthew Cronin was sworn in and his credentials as a licensed Architect were accepted.

Stacey Garfunkel was sworn in. Elena Gable was sworn in.

Mr. Cronin stated that the plans were revised based on the Board's comments at the last meeting. The floor plan remains the same. The roof is now a gambrel roof, appears shallower and breaks up the mass. Alternating color siding was added along with window shutters. Four "faux" windows, shuttered, were added. The gambrel roof doesn't change the rear setback of 9.2' to the step.

Ex. A-4 – Plans prepared by Matthew T. Cronin, dated 1/31/18, last revision 6/23/18.

Ex. A-5 – Color enhanced version of sheet 2 of A-5.

It was noted that there is potential for a variation. In addition, the applicant stated she is amenable to approaching her neighbor regarding a 2' easement on the neighbor's rear yard.

Ex. A-6 – rendering of north side elevation prepared by Mr. Cronin with window area calculation. There is a need to balance the widows with allowing room for furniture.

The zoning table was reviewed. The setback to the front step is 7'. The existing foundation is being reused but they are able to pull back the step 1'. The foundation in the rear is expanded. The building height is 25'9 ½', reduced from the previous plan. There is one usable parking spot but it doesn't meet the town's requirements. Nothing is to be constructed on the side where the parking spot is located.

Mr. McGurl raised the question of the distance from the property line after the gutters, etc. were installed.

Mrs. Garfinkle stated that she had spoken with the neighbors about infringement on their property during construction and there were no problems. There is no plan to remove the existing evergreens.

Mr. Ryan asked if three bedrooms would work on the 2nd floor if the home was a Cape Cod style. Mr. Cronin noted a Cape Cod would be wider and he is unsure what the height would be. The new plan is more proportionate to the size of the lot. He has given up 3 ½' of attic but there are no other changes to the floor plan.

There was no comment from the public.

Mr. Neczesny stated this was a nicer design and the adjustment of the height is praiseworthy. The parking situation exists and won't change.

Mr. Lehder noted that the application has no door on that side of the building and to the extent that it works now, it will work.

There was discussion regarding possibly variations in the siding – offsetting colors or type of siding, with no particular agreement regarding specifics.

Referring to the negative criteria Mr. Lehder stated there was hardship based on the existing foundation and the need to build a home for more than one occupant. On the positive side, changes were made and the plan is a definite improvement.

Mrs. Quigley said there was little detriment to the public good and acknowledged the applicant's response to the Board's concern about the height.

Mr. Irene reviewed the positive criteria of the property being able to accommodate the variances and the negative criteria of substantial detriment. The HFA is well within what is allowable, the issue is the house not the lot.

Mr. McGurl expressed concern about the bump-outs and suggested that 3 bedrooms may not be appropriate.

Mr. Lehder stated he did not see this as a slippery slope situation.

Mrs. Ylagan noted that the proximity exists.

Mr. Ridgeway stated that he appreciates the work and effort and thinks the proposed plan is in keeping with the neighborhood.

MOTION Lehder, second Neczesny, to approve the proposal as presented in A plan and B plan (ex. A-6) – windows and easement, with varied siding, conditioned on no door or other impediments on the south side.

In Favor: Neczesny, Ridgeway, Quigley, Ryan, Ylagan, Lehder

Opposed: McGurl

3. ADMINISTRATIVE MATTERS

MOTION Neczesny, second Quigley, to approve the minutes of the June 7, 2018 meeting.

In Favor: McGurl, Neczesny, Ridgeway, Quigley, Ryan, Ylagan, Lehder

Opposed: None

MOTION Lehder, second Quigley, to carry the Gordon application to the August 2 meeting.

In Favor: McGurl, Neczesny, Ridgeway, Quigley, Ryan, Ludman, Lehder

Opposed: None

Public Comment

Ruth Blaser, River Rd, asked how one could paint their house if the neighbor didn't allow encroachment.

Motion to adjourn Neczesny, second McGurl and carried unanimously by voice vote.

Meeting adjourned at 8:30 PM.

Respectfully submitted,

Judy Fuller,
Board Secretary

Public Announcement of Compliance

This is a regular meeting of the Fair Haven Zoning Board of Adjustment. Adequate notice of this meeting has been given pursuant to the provisions of the Open Public Meetings Act. At the time of the Board reorganization in January of this year, the Board adopted its regular meeting schedule for the year. Notice of the schedule of the Board's regular meetings was sent to and published in the Asbury Park Press, and was also sent to the Two River Times and the Star Ledger. Tonight's meeting was listed in the Notice of the schedule of regular meetings. That Notice was also posted on the bulletin board in Borough Hall, and has remained continuously posted there as required by the Statute. In addition, a copy of the Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of the Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Adequate notice having been given, the Board Secretary is directed to include this statement in the minutes of this meeting.

