

FAIR HAVEN ZONING BOARD OF ADJUSTMENT

Regular Meeting Minutes October 4, 2018

The meeting was called to order at 7:15 by Mr. Lehder, Chair, with a reading of the Open Public Meetings Act Statement (attached), followed by the pledge to the flag.

1. ROLL CALL

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

Absent: Mr. Neczesny

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

2. NEW BUSINESS

Factor – 29 McCarter Ave., Block 77, Lots 20 & 21, R-10 zone - Application for Addition –
variances needed for HFA

Notices are in order and the Board has jurisdiction. Ms. Gable, Board Planner was sworn. Mark Aikins, Esq. appeared on behalf of the applicant. He stated the purpose of the application was to add a great family room and updated master bedroom. Referring to the HGA completeness letter dated 9/7/18, Mr. Aikins noted that waivers had been requested for items #9, 10, and 11 of the application checklist because they were not necessary or not applicable. He noted further that access to the 3rd floor attic, through the closet, was not an approved staircase.

MOTION Lehder, second Quigley, to deem the application complete.

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

Opposed: None

James Anderson – 12 E River Rd, Rumson, was sworn and his credentials as a Licensed Architect were accepted by the Board. He has been registered in NJ since 1992. Mr. Anderson stated that the impetus for the application came from the inadequacies of the existing house, specifically, there is no functional, habitable basement. The current basement is 6'4" high and there are water issues. The following were entered into exhibit:

Ex. A-1 - Architectural plans prepared by James Anderson, dated 5/31/18, rev. 7/2/18.

Ex. A-2 – Plot plan prepared by Bruce A. Jacobs, Gravatt Consulting, dated 7/2/18.

Ex. A-3 – Survey prepared by Robert W. Smith, Jr, Seneca Survey Co. dated 6/26/18. T

The applicant is proposing a space behind the garage with the same functionality as a basement. In addition, the proposal would meet three other needs; a home office, addressing the small closet in the master suite, and the small bedroom. While they would be over the HFA cap the addition would not go over the FAR. All other requirements conform.

Ex. A- 4 – recent photo of home showing space over the garage, taken by Mr. Campanella.

Ex. A-5 – photo of garage showing more vegetation

Ex. A-6 – Google maps 3D photo, undated.

Ex. A-7 – Elevations of front and rear of home, before and after, prepared by Mr. Campanella.

Ex. A-8 – Renderings in response to HGA review letter of 9/27/18, with attic area and eave over garage.

Mr. Campanella addressed the impact on the neighborhood stating that the proposed addition is behind the garage and not visible from the street. The side is heavily wooded.

Ex. A-9 – 3 photos taken by Mr. Ward, Planner, showing the house to the west of the factor residence

Ex. A- 10 – Photo of the rear of the house.

Referring to Ex. A-7, Mr. Campanella indicated that the rendering to the left is the “before” and the one to the right is the “after”. In the front of the house, a door has been added leading to the mud room. The rear addition will be of the same materials as the rear of the existing house. The roof lines of the addition step up from both sides to mitigate mass. Addressing the HGA review letter, he noted that the shed roofs on the entry ways were not accounted for in building coverage and no exception taken to item #3 on page 4. He went on to discuss comment #4, stating that the space in the dormers is not over 7’. Mr. Lehder noted it can’t be excluded according to the town’s definition and Mr. Campanella stated the size of the addition can be reduced 104 sq. ft. in order to conform. Mr. Lehder stated that the plans indicate that they are one inch under the FAR and asked about the measurements. Mr. Campanella stated the house was not re-measured, the figures were taken from the existing plans. The staircase was included. The vaulted area in the proposed bedroom is about 14’ at the apex.

Discussion followed regarding access to the attic and stairs to the attic. Ex. A-8 shows a cross section of the attic – current area is 20% of the floor below, with the addition 16.8%. Mr. Schiavetti asked if the staircase had to be code compliant. Mr. Campanella stated that the stairs were in a closet. It did not have a landing and was not uninterrupted because it ran into a door. Mr. Aikins stated that if the Board deems it uninterrupted a pull-down could be used. Mr. McGurl stated there was a need to know the exact height of the attic because 7’4” would be habitable. Mr. Aikins stated that the applicant agrees the stairs will be removed.

Patrick Ward, of InSite Engineering, 1913 Atlantic Ave, Wall, was sworn and his credentials were accepted. He indicated he was testifying tonight was as a Planner. Mr. Ward addressed the conditions of a flexible C2 variance and noted that the proposed 4,195 sq. ft. was done with the intent of avoid going over the FAR. The FAR of .28% and lot coverage both confirm. He went on to say that the proposal fits with the Master Plans and avoids a tear-down. The improvements are sensible and allow for adequate light, air and open space. The side yards are maintained. The viewpoint from the street is unchanged – the evergreen buffer is to be maintained. Mr. Ward stated this is an oversized lot that absorbs the improvements.

Mr. Schiavetti questioned whether the plan would be over the FAR if this was in an R-15 zone. Mr. Lehder asked why it wasn’t a negative impact. Are all lot sizes the same? Mr. Ward stated that the screen limits impact and there is no negative impact on the neighbors.

Mr. Aikins stated the applicant could build a house with a finished basement. If it was a tear down, what could be built in its place?

Mr. Aikins asked for a recess at 9:07 PM. The Board stayed in session for administrative items.

3. ADMINISTRATIVE ITEMS

MOTION Quigley, second Ryan, to approve Resolution – Pannuzzo – 39 Kemp Ave.

In Favor: Ridgeway, Schiavetti, Quigley, Ryan, Ludman, Ylagan, Lehder

Opposed: None

MOTION Quigley, second Ludman, to approve Resolution – Baker – 15 McCarter Ave

In Favor: Ridgeway, Quigley, Ryan, Ludman, Ylagan

Opposed: None

MOTION Quigley, second Ridgeway, to approve the minutes of the September meeting

In Favor: Ridgeway, Schiavetti, Quigley, Ryan, Ludman, Ylagan, Lehder

Opposed: None

At 9:27 PM Mr. Aikins and the applicants returned to the meeting with a request to carry the application to the November meeting.

MOTION Lehder, second McGurl, to carry the application to the November meeting with no need to renote.

In Favor: McGurl, Ridgeway, Schiavetti, Quigley, Ludman, Lehder

Opposed: None

Abstained: Ryan

It was noted by the Board and agreed to by the applicant that new materials would be submitted by Oct. 19.

The Board and Ms. Gable discussed how to handle the issue of waivers that are listed on the application checklist as required prior to deeming an application complete. Some of the items were not necessarily applicable to the type applications usually coming to the Zoning Board. It was determined that when reviewing the applications for completeness, HGA can note that the application is incomplete but can recommend that the particular item missing be waived. In that case the application can be put on the agenda and the Board will receive one review that includes both the completeness and technical review. The Board could then discuss the completeness prior to hearing the merits.

MOTION to adjourn by Quigley, second Schiavetti, and approved unanimously by voice vote.

Meeting adjourned at 9:35 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.