

## FAIR HAVEN ZONING BOARD OF ADJUSTMENT

### Regular Meeting Minutes November 2, 2017

The meeting was called to order at 7:15 by the Chair with a reading of the Open Public Meetings Act Statement (attached), followed by a statement regarding the Board's responsibilities and authority and the pledge to the flag.

#### 1. ROLL CALL

Present: Mr. McGurl, Mr. Neczesny, Mr. Schiavetti, Mrs. Koch, Mr. Mulé, Mr. Ryan, Mrs. Quigley, Mr. Lehder

Absent: Mr. Ridgeway

Also Present: Mr. Irene, Board Attorney, Mr. Hauben, Board Planner

#### 2. NEW BUSINESS

**MP Cask, LLC. – Block 31, Lot 8, 22 Fisk St, B-2 zone – Application for an addition to the second story** – variance required for front yard setback

Notices were in order and the Board had jurisdiction to hear the application.

Dan Hauben, CCH Planner was sworn. Jacques Moutier, 52 Seven Oaks Circle, Holmdel, was sworn and identified himself as managing member of MP Cask, LLC. The following were entered into exhibit: **Ex. A-1** – Survey prepared by Charles Surmonte dated 6/14/17, **Ex. A-2** – Floor plans prepared by James Monteforte, dated 9/12/17, revised 10/20/17, consisting of 6 pages, **Ex. A-3** – photo of existing dwelling, **Ex. A-4** – rendering of proposed structure.

Mr. Moutier stated the house was located far forward on the lot. Upstairs, a bathroom is to be added. The addition of 76 sq. ft. upstairs is what triggers the need for a variance. He stated it was not practical to move the house. The pre-existing deficiency is being expanded. The HFA remains below the maximum, as does the HFAR which goes from .23 to .24. Mr. Moutier went on to say that the plan is to match the styles of homes in the area and will make it more consistent with the neighborhood and be a better design.

Mr. Moutier was asked wither the change would be a visual impairment. He did not know the setback of the neighboring houses but they appear to be set back further. When asked if he considered expanding in the rear of the house he stated there was concern about the size and added that cost was a consideration in the design.

James. J. Monteforte, Ocean Township, was sworn and his credentials were accepted by the Board. He said they chose to go out the front to enhance the look of the house. He can't tell the age of the original dormer. There was a problem with the layout and putting the master bedroom in the rear of the house would lead to FAR issues. He said the street did not have consistent front yard setbacks. The stairs in the rear could not be moved. There will be no new walls. The Dormer in the front is the only addition to the front. Only two walls are being added on the second floor. They are working with the existing structure. To build in the back would

require adding foundation. There is no foundation work planned in the front and the house is not being raised.

Mr. Hauben noted that the basement square footage should not have been counted in the HFA.

The Board discussed various ways of reducing bulk, including the roof line.

Mr. McGurl stated that the addition is small in relation to what is there now.

Mr. Monteforte showed how the roof line could be altered and the dormer pushed back.

Mr. Lehder said the variance should be tied to maintaining the structure.

The applicant and his architect left the room to confer.

### **3. ADMINISTRATIVE ITEMS**

Sarto resolution – Mr. Irene noted that Mr. Sarto had requested a change in the resolution regarding the fence going into the right of way. The Board discussed his request and preferred the original language, stating they can't approve a fence on the Borough right of way.

MOTION by Mr. Mulé, second by Mrs. Koch to approve the resolution as written by Mr. Irene  
In Favor; McGurl, Koch, Mulé, Ryan, Quigley, Lehder

MOTION Mulé, second Lehder, to approve the minutes of the October 5, 2017 meeting as corrected.

In Favor: McGurl, Schiavetti, Koch, Mulé, Ryan, Quigley, Lehder

Opposed: None

At 8:15 Mr. Moutier and Mr. Monteforte returned and the all the Board members previously present resumed discussion of the application.

Mr. Monteforte showed the porch roof carried back, the roof lines in, the pitch a little steeper, sloping down. The changes take 34 sq. ft. off the proposed plan. It is an improvement over the current floating dormer. The total addition would be 42.4 sq. ft. **Ex. A-5** is a mark-up of sheet A1-05 of Ex. A-2. **Ex. A-6** is a mark-up of sheet A1-04 of Ex. A-2.

There was no public comment.

Mr. McGurl stated this was a minimal request and the applicant tried to address concerns.

There was limited ability to change. He noted it was in keeping with the Master Plans idea of maintaining existing housing.

Mr. Ryan said the plan was a nice balance and noted they were not looking for a knockdown.

Mr. Schiavetti said he appreciated the design. It maintains the character and reduced the bulk.

Mrs. Koch thought the applicant came up with a good compromise and maintains the classic look while upgrading.

Mr. Lehder suggested tying approval to maintaining the footprint, the first floor elevation, maintaining all exterior walls, subject to the planner's review of the final plans.

MOTION by Mr.Neczesny, second Mulé, to approve the plans with the changes presented.

In Favor: McGurl, Neczesny, Schiavetti, Koch, Mulé, Ryan

Opposed: Lehder

The Board discussed the tentative dates for the 2018 Zoning Board meetings, to be officially adopted at the reorganization meeting in January, 2018.

MOTION to adjourn made by Mulé, second McGurl, and approved unanimously.

Meeting adjourned at 8:37 PM.

Respectfully submitted,

Judy Fuller