

FAIR HAVEN ZONING BOARD OF ADJUSTMENT Regular Meeting Minutes – June 3, 2021, 7:15 pm – Virtual meeting via Zoom Platform due to the COVID-19/Coronavirus Pandemic

The meeting was called to order at 7:15 pm by Mr. Lehder, Board Chair, with a reading of the Open Public Meetings Act Statement (below) and the salute to the flag.

Roll Call

Present: Mr. Neczesny, Ms. Quigley, Mr. Ridgeway, Mr. Ryan, Mr. Ludman, Dr. Laufer, Mr. Kinsella, Mr. Schiavetti, Mr. Lehder

Absent: None

Also Present: Mr. Irene, Board Attorney, Ms. Mertz, Heyer Gruel and Associates, Board Planner.

Mr. Lehder introduced the McCue application.

McCue – 11 William Street, Block 45, Lot 26, Zone R-5.

Ms. Mertz was sworn in as the Borough Planner.

Mr. Michael McCue and Ms. Melissa Fahoury were sworn in as the applicants for 11 William Street.

Mr. Matthew Cronin, licensed architect in the state of NJ, 129 Shrewsbury Avenue, Red Bank NJ was sworn in as the applicant's architect.

Exhibit A-1: Survey prepared by John J. Gallagher dated October 19, 2004. The survey was confirmed to be accurate by Mr. McCue.

Exhibit A-2: Architectural Plans prepared by Matthew T. Cronin, dated September 30, 2020, with a revision date April 8, 2021.

Mr. McCue introduced the application. He explained that his lot is non-conforming and would require multiple variances. Ms. Fahoury said they worked with the architect to create a plan for the house and property that meets their needs and fits in with the neighborhood. They spoke of moving living space out of the basement, improving some of their setbacks, softening the front façade, and improving the safety and efficiency of the building.

Mr. Irene confirmed that Mr. Cronin has been a registered architect since 1993. Mr. Lehder accepted Mr. Cronin for the Board as an expert in architecture.

Next, Mr. Cronin reviewed the architectural plans and the variances triggered.

Mr. Cronin explained that they currently have a two-story home with 1044 square feet of living space. The basement has a great room, kitchen, dining room areas and half bath. The upper floor has three bedrooms and a full bath.

With the proposed plans, the living area will be elevated from the basement and the basement will become a laundry room and mechanical room. The footprint will be expanded by two feet in the rear. The first floor includes a great room and kitchen, and upper floor has two bedrooms, a hall bath, and a master suite. The attic has pull-down staircase access and will be used for storage and duct work.

Mr. Cronin described the elevations of the house. His intention is to keep the elevation the same and add a five-foot front porch with a two-gable roof sloping away from the street to minimize the mass of the building. There will be no windows on the west side, but a closed shutter panel will be used for an appearance of windows. The fire code does not allow for windows.

Materials for the structure are vinyl and cedar shake impression siding.

Mr. Neczesny asked about steps on the rear of the building. Mr. Cronin explained the stairs are being turned.

Mr. Neczesny asked how far the front porch will extend. Mr. Cronin confirmed the porch will be a foot beyond the stairs of 9 William Street.

Mr. Lehder asked about the difference of working with 9 William Street versus the application for 11 William Street. Mr. Cronin explained his logic in choosing the roof line and porch for 11 William Street.

Mr. Lehder requested Mr. Cronin review the variances.

Mr. Cronin reviewed the variance list in the HGA letter from Ms. Gable dated May 3, 2021.

	Required	Existing	Proposed	Variance
Minimum Front Yard Setback	25 feet	9.8 feet	4.8 feet	V / ENC
Minimum Side Yard Setback- One	7 feet	2 feet	2 feet	V / ENC
Minimum Side Yard Setback- Both	16 feet	10 feet	9 feet	V / ENC
Minimum Rear Setback	30 feet	5 feet	8 feet	V / ENC
Maximum Building Height	30 feet	19.7 feet	28 feet	-
Maximum Stories	2.5 stories	2 story	3 stories	V
Maximum Building Coverage	35%	43.3%	44.6%	V / ENC
Maximum Habitable Floor Area Ratio	0.4	0.7	1.13	V / ENC
Maximum Habitable Floor Area Sq. Ft.	2,200 sq. ft.	1,044 sq. ft.	1,693 sq. ft.	-

NC: Existing Nonconforming Condition
: Variance

Mr. Lehder questioned why they are proposing stairs on the side and front of porch. Mr. Cronin said that the porch is for visual effect more than for utility.

Mr. Irene clarified the side yard set back and expansion of the rear by two feet.

Mr. Cronin explained his design plans. A two-foot expansion was added to the rear of the home to make the space work better and allow for a legal stairway. The kitchen has appliances that people are expecting. Spaces are organized well so they can be shared if needed on the first floor. The basement is the same area, but current access will be removed from the rear of the home. The second floor is four feet longer than the existing home. The square footage of the home offers a limited opportunity to provide reasonably designed spaces.

Dr. Laufer asked is consideration was given to moving the house back. Mr. Cronin suggested that they want to use the existing foundation. Dr. Laufer also suggested removing the cantilever to the rear of the building.

Mr. McCue stated that the foundation is a foot or so higher than 9 William Street. If they did something straight out to the street, they would be out further and appear higher.

Mr. Cronin stated that the stairs, if set like 9 William Street, would come out further towards the street.

Mr. Lehder expressed his concern about the height of the house and the distance of the house from the street with the porch design.

Mr. Neczesny agreed that the house will look tall, as designed, from the street.

A discussion ensued regarding 9 William Street versus the 11 William Street design.

Mr. Ryan asked for clarification of the front yard setback. Ms. Mertz stated that the steps for 9 William Street project to four feet versus the proposed for 11 William Street of 5 feet.

Dr. Laufer expressed concern that the lot is small and the house is large. To move the house closer to the street than it exists now is a concern. He stated that moving the house back should be considered.

Mr. Lehder likes the interior plans but remains concerned about the exterior of the home.

Mr. Ludman agrees about Mr. Lehder's view regarding the front yard setback. He also discussed the side of the house that cannot have windows due to the fire code. Many board members agreed that using the shuttered treatment worked for 9 William Street.

Mr. Neczesny mentioned the potential for an alcove and side facing step to replace the front porch.

Mr. Cronin stated that the McCues did not want to replicate 9 William Street and wanted a front porch like many of their neighbors. Mr. Cronin will discuss some options with the McCues including indenting the front door.

Mr. Lehder asked what can be done to bring down the ridge height. Mr. Cronin stated that he can reduce the slope of the roof.

Mr. Lehder suggested dormers for the front windows. Mr. Cronin stated that the wall height will be reduced in those areas. Mr. Cronin said he will work with the McCues to decrease the mass.

Dr. Laufer suggested indenting on the first floor into the great room. Mr. Cronin agreed that this could be a viable solution.

Mr. Ridgeway agreed with the comments and is most concerned about the ridge height.

Mr. Kinsella stated that the lot has many challenges. He is not bothered by the height. He is concerned about the porch and front yard setback.

Mrs. Quigley asked where the cars will be parked. Mr. Cronin said the parking will remain as it is with parking for one car.

Mr. Lehder asked what is left of the rear yard. Mr. Cronin said there is 11 feet from the two-foot extension. He said there is room for a picnic table and for small children to play.

Ms. Mertz commended the architect for utilizing the space efficiently.

Mr. Lehder asked if Mr. McCue would like to come back to the board with additional options.

Mr. Irene reviewed the different types of variances and specifically reviewed hardship.

Mr. McCue asked to be carried until the next Zoning Board meeting. Mr. McCue also asked for his neighbors to be heard.

Mr. Lehder asked the meeting to be open to public comment.

Ms. Chelsea Hoon, of 6 William Street, was sworn in. Ms. Hoon lives across the street. She is confident that the McCue's will improve the aesthetic of the neighborhood.

Mr. Michael Spitz, of 26 William Street, was sworn in. He stated that he fully supports the proposal and echoes Ms. Hoon's comments about improving the aesthetics of the neighborhood and feels the home fits with the neighborhood.

Ms. Jennifer Spitz, of 26 William Street, was sworn in. She is pleased with the look of the home and how it will blend in. She is not concerned with the height.

MOTION by Mr. Lehder and second by Mr. Neczesny to carry the McCue application, with a stipulation to extend time to act and without the need to re-notice, to the July 8, 2021 Zoning Board meeting.

In favor: Neczesny, Quigley, Ridgeway, Ryan, Ludman, Laufer and Lehder
Opposed: None

Mr. Lehder asked Mr. Neczesny address the administrative items on the agenda.

MOTION by Mr. Neczesny and second by Mrs. Quigley to approve the May 20, 2021 meeting minutes.

In favor: Neczesny, Quigley, Ridgeway, Ryan, Ludman, Laufer and Lehder
Opposed: None

MOTION by Mr. Neczesny and second by Mrs. Quigley to approve the Bunge resolution.

In favor: Neczesny, Quigley, Ridgeway, Ryan, Ludman, Laufer and Lehder
Opposed: None

MOTION by Mr. Neczesny and second by Dr. Laufer to approve the Sullivan resolution.

In favor: Neczesny, Quigley, Ridgeway, Ryan, Ludman, Laufer and Lehder
Opposed: None

Mr. Lehder opened the meeting to the public. There was no comment by the public.

MOTION by Mr. Lehder to adjourn that was carried by voice vote. The meeting was adjourned at 9:18 pm.

Respectfully submitted,
Sandi Papa
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.