

A-4 Application filed with Monmouth County Planning Board

Attorney Gilbertson said the application is for minor subdivision and the lots would be more than conforming to the ordinance for the R-60 zone. We are proposing two single family residences. A variance for lot width is needed.

Attorney Gilbertson said she will have the applicant address a few of the comments in the reports from John Hoffmann and Charles Rooney. In Mr. Hoffmann's report on page 4, item 11, there are a significant amount of mature trees on the new lot. Construction would require some removal of those trees. The prior plan that was submitted to Freehold Soil Conservation District and a copy provided to the town does have a revision showing the proposed area for the disturbance. It is consistent with lining up with the existing house. Freehold Soil Conservation District said they would grant an exemption.

Attorney Gilbertson asked Mr. Fornicola to explain the disturbance or removal of any trees. Mr. Fornicola said the area where we will construct the house is almost bare. There may be two or three trees to be taken down. They are wild cherry trees. He said he must have 150 trees on his property. Nothing will come town unless necessary.

Attorney Gilbertson said Mr. Hoffmann's report had a note stating removal of the existing driveway. There is a notation on the plans that the existing driveway to be removed to provide 5' setback on the existing lot 5' of driveway will be removed.

Attorney Gilbertson said Mr. Fornicola states on the exiting property he would agree to remove 5' to comply with the ordinance. Chairwoman Aromando said 5' on each side. Attorney Gilbertson said correct. Mr. Rooney asked you are trying to keep the driveway on lot 6.02. Attorney Gilbertson said yes that is correct. Mr. Rooney said revise the plan showing the setback. Attorney Gilbertson agreed. She said in terms of time frame since it affects Mr. Fornicola's lot the removal can't actually be until the building permit application. Attorney Hirsch said it will be a condition of the building permit that the driveway has 5' removed.

Ms. Hearn asked is that when and if that lot sells? Chairwoman Aromando said your concern is that they take the 5' off now. Ms. Hearn said the Board may want specific dimensions. Attorney Hirsch said you can ask for a bond, condition on sale, building permit. It has to be clear on the record.

Mr. Fornicola said the driveway has been there for 30 years. He said he is probably the one going to build the house. Chairwoman Aromando said when sold or building permit. Mr. Fornicola said we would have to disconnect it when sold. Chairwoman Aromando asked when that portion will come out. Mr. Fornicola said either when it is sold or building permit. Mr. Rooney asked how the town controls the sale. Attorney Hirsch said in the deed. Attorney Gilbertson said or in the resolution. Attorney Hirsch said they are going to perfect by deed so it would be deed restricted.

Chairwoman Aromando asked if there was anything else in the planner's review letter that Mr. Fornicola could not comply with. Mr. Fornicola said everything else seems to be okay.

Chairwoman Aromando asked about Mr. Rooney's review letter. Attorney Gilbertson asked Mr. Fornicola about run-off. Mr. Fornicola said he will comply.

Mr. Rooney said regarding 1.5 in his review letter the zoning requirement table should be revised to properly reflect the accessory structure side and rear yard setback requirements. The side yard setback should be 25' not 20'. The table is not correct. The footprint should be 40' X 70'.

Ms. Hearn asked the applicant to go on the record as to why the lots are not regular in shape.

James Higgins was sworn. Mr. Higgins gave his credentials which were accepted by the Board.

Mr. Higgins said the reason for the irregular shape is because of the existing in-ground swimming pool. To maintain the 10' setback it was necessary to make it a little irregular. C-variances are necessary. The lots are larger than the surrounding lots. They are consistent with the lots in the area. Providing for population density, .75 per acre. It is consistent with the Master Plan. No negative impact. No substantial detriment.

The application was open and closed to the public.

Mr. Rooney said revise the plans regarding the 40' X 70 footprint; label the area of future disturbance.

Mr. Fornicola said the future driveway will be added to that plan.

Ms. Hearn made a motion to approve the application for minor subdivision subject to a deed restriction for 10' of driveway removal. The applicant will obtain all approvals necessary. The applicant will comply with the review letters of the Board Professionals. Mr. Farrell seconded the motion, which was unanimously approved by a roll call vote. (Ms. Hearn, Messrs. Farrell, Addonizio, M. Clayton, T. Clayton, Ms. Coman, Messrs. Luttman, Newberry and Ms. Aromando voted yes.)

RESOLUTION TO BE MEMORIALIZED

OCEAN VENTURES – PB#12-2007

Block 976, Lot 1, 2, 4, & 5

Attorney Hirsch read the resolution of approval. Ms. Hearn moved to adopt the resolution as read. Mr. Luttman seconded the motion, which was unanimously approved by a roll call vote. (Ms. Hearn, Messrs. Luttman, M. Clayton, T. Clayton, Ms. Coman, Mr. Newberry and Ms. Aromando voted yes.)

June 15, 2009

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There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 8:00 P.M.

Respectfully submitted,

Betty Schinestuhl
Recording Secretary