

Wednesday, June 17, 2009

THE BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY
MINUTES OF THE MEETING OF
THE SEA GIRT PLANNING BOARD
WEDNESDAY, JUNE 17, 2009

A Regular meeting of the Sea Girt Planning Board was held in the Sea Girt Elementary School on Wednesday, June 17, 2009 at 7:30 pm. Notice of the time, date and place of the meeting was transmitted to all members and proper notice had been published in accordance with the provisions of the "Open Public Meetings Law".

After the Salute to the Flag, roll call was taken and the following members were present:

Coun. Raymond Bogan
Larry Benson
Susan Boriotti
Karen Brisben
Paul Cerami

Coun. Ken Farrell
Norman Hall
Michael Mastrocola
Kathryn Matthews
Christopher Randazzo

Absent: Donald Laws

Scott Thompson, Board Attorney, was also present for the meeting as well as Sandra Sears, Administrative Board Secretary; Board member Karen Brisben recorded the Minutes. There were 6 people in the audience.

Chairman Hall asked for a motion to approve the Minutes of the March 18, 2009 meeting. However, no one made the motion so this approval was tabled until the July meeting of the Board and Chairman Hall asked that the Board members review these Minutes so they can be prepared to vote in July.

OLD BUSINESS:

The Board considered approval of a Resolution for Block 14, Lot 3, 713 Philadelphia Boulevard, owned by Thomas & Kathleen Masterson. Mr. Randazzo had questions on some of the wording in the Resolution and Mr. Thompson said that comments were made at the hearing and he felt information should be in the Resolution to show why the Board took action on a C-2 criteria. Mr. Randazzo then stated he felt the wording on page 4, paragraph "E" should perhaps be changed from the phrase "a new piece of property" to "a new building". The following amended Resolution was then presented to the Board:

“WHEREAS, Thomas and Cathleen Masterson, whose mailing address is 713 Philadelphia Boulevard, Sea Girt, New Jersey 08750, have applied for relief from municipal ordinances affecting premises located on Lot 7, Block 80, as designated on the tax map of said Municipality; commonly known as 713 Philadelphia Boulevard, Sea Girt, New Jersey and

WHEREAS, such proof of service as may be required by New Jersey Statutory and Municipal Statutory and Municipal Ordinance requirements upon appropriate property owners and Governmental bodies has been furnished; and

WHEREAS, a public hearing was held on the said application on May 20, 2009, in the Sea Girt Elementary School and testimony and exhibits were presented on behalf of the applicant and all interested parties having been heard; and

WHEREAS, the said Board, having considered said application, testimony exhibits submitted, and from its inspection of the site, it makes the following determinations:

1. The tract in question has an area of approximately 11,000 square feet.
2. The tract in question is in the District 1, West Single Family Zone.
3. The Applicant is seeking approval from the Land Use Board for the construction of a new two-story addition extending the rear of the dwelling and for a new front porch.
4. The Applicant's Architect, Paul A. Damiano, testified as follows, to wit:
 - A. The proposed rear addition meets all zoning requirements for the Borough of Sea Girt.
 - B. The proposed front porch will have a setback of 35.35 feet and the existing front porch has a setback now of 29.37 feet. The Applicant's proposal in effect reduces the existing non-conformity.
 - C. The lot coverage with the proposed addition and the proposed front porch will equal 16.3% of lot coverage, well below the 20% permitted.
 - D. The new front porch represents approximately 150 square feet of new covered porch and will have a shed type roof.
 - E. The proposed porch will not protrude out beyond either home on either side of this property.
 - F. In the witness's opinion, the proposed addition, including the front porch, fits in with the neighborhood where several houses, including the ones on either side of this house, violate the front yard setback.
 - G. The proposed porch is in fact a porch and not a patio. It will be raised slightly from the adjoining ground level.

5. No one appeared in opposition of the application.
6. The Board reviewed the following in evidence, to wit:
 - A. A-1 The Application.
 - B. A-2 Letter from Zoning Officer.
 - C. A-3 The Survey.
 - D. A-4 Property Owner's list.
 - E. A-5 The Architectural Renderings
 - F. A-6 Picture of the existing property.
 - G. A-7 An Aerial Photo of the neighborhood.
 - H. B-1 An Engineer's letter dated April 2, 2009.
7. The Board makes the following findings, to wit:
 - A. The submission as presented complies with all municipal zoning ordinances except for the proposed front porch which will be 35.35 feet from the front property line.
 - B. The Board finds that the proposed front porch represents a smaller encroachment at the front setback than does the existing front porch/patio and, therefore represents an improvement over the current condition.
 - C. The Board is aware of the fact that the property owner could tear down this existing home and build a much larger home on this lot. The Board appreciates the fact that the homeowner is attempting to work with the existing house rather than start from scratch.
 - D. The relief requested is not of such a magnitude as to be a detriment to the public good nor an impairment of the intent and purpose of the zone plan.
 - E. The Board finds that the proposed porch will blend well with the neighborhood and the scale of the house together with the oversized lot creates a much lower impact than would a new building.

NOW, THEREFORE, BE IT RESOLVED by the said Board, that on this 17th day of June, 2009, based on the findings hereinabove stated, it does hereby grant the application subject to the following conditions:

- A. Applicant should obtain any other approvals with respect to the submission from any other Federal, County, State or Municipal Agency having jurisdiction over same.
- B. Applicant should re-submit this entire proposal should there be any deviation from this Resolution or the submitted documents, which are hereby made a part hereof and shall be binding on the applicant.
- C. Applicant shall construct , at applicant's sole cost and expense, all improvements reflected on the submitted documents.

D. The relief granted hereunder shall be rendered null and void should the applicant fail to commence construction within 1 year of the date of this Resolution.”

A motion to approve this amended Resolution was made by Councilman Bogan, seconded by Councilman Farrell, and approved by the following roll call vote:

Ayes: Councilman Raymond Bogan, Councilman Ken Farrell, Kathryn Matthews, Michael Mastrocola, Paul Cerami

Noes: None

Abstaining: Larry Benson, Karen Brisben, Susan Boriotti, Norman Hall, Chris Randazzo

NEW BUSINESS:

The Board then turned to a Variance application for Block 57, Lot 7, 416 Washington Boulevard, owned by Joseph and Paula Canterino, to allow altering and adding additions to an existing single-family dwelling.

Before this hearing started, Mr. Randazzo stepped off the dais and excused himself from this application as he lives within 200 feet of the property.

The proper fees were paid, taxes are paid to date and the property owners within 200 feet as well as the newspaper were properly notified. Mr. Michael Rubino, Esq. came forward to represent the Canterinos. The following exhibits were marked for identification:

- A-1 the application.
- A-2 the architectural site plan.
- A-3 Survey dated 06/02/2009.
- A-4 Artist rendering of proposed structure with additions.
- A-5 A photo Board consisting of 16 photos.
- B-1 Engineer's revised letter dated 05/12/2009.

Mr. Rubino said this property is a corner property and, therefore, has a front yard on Washington Boulevard and also on Fifth Avenue, it is an old doctor's house. The Caterinos were before this Board last year and the application they presented at that time was denied so they are now back with a new application that is substantially reduced in footage; they are going from a 2 ½ story proposal to a 2 story proposal.

The Board can grant this application because this property is unique and the Statute gives the Board the right to look at the hardship standard; what is now lawfully on this property has a hardship due to the doctor's office wing - if this were removed this property would comply. The question is can the new owners make the house look better or do they have to take this wing off? All are familiar with the 20% coverage rule but the question is if someone comes in with something different can this be granted.

The applicants think this application is reasonable and can be considered under the C-2 Statute. This home is the first home in the residential area after leaving the Commercial Zone so people see this when coming down Washington Boulevard. The Caterinos have 4 children and would like to make the home better looking and more comfortable for their family.

At this time Christopher Rice, Architect, came forward and was sworn in. The Board is familiar with Mr. Rice and accepted him as an expert witness. He was familiar with the previous plans and the new one presented this evening is substantially different, there will now be a two-story structure and a lot less than applied for last time.

This home is a center hall Colonial with a one story addition that was the doctor's office, there is a one-story garage and a one-story sunroom on the other side, the garage is an integral garage and is included in the 20% lot coverage and if it were an "attached garage" instead it would not be included in this coverage percentage. So they took the main house with the cantilevers, etc., and came up with a 23.9% coverage and all the officials agree on this percentage. He noted that the second floor is only over the main house.

The previous architect built all over this existing home but they propose to build over the garage and sunroom which will add more bedrooms and bathrooms for the children. The existing home is only 28 feet tall and 35 feet is allowed, the garage is 17 feet tall; he explained they want to be sensitive to the type of home this is and keep it as a center hall Colonial.

He then asked that another exhibit be recorded, this was the original plan that was submitted last year and that was marked as Exhibit A-6. They are not adding a full second story over the garage, they are adding a ½ story and a ½ story over the sunroom, so the garage area will go from 17 feet tall to 12 feet tall. They will not have full bedrooms but they are for the children so the sloping ceilings here will work; the same will be for the sunroom.

This is an oversized lot on a corner and Mr. Rice reminded the Board they could build a 2 ½ story home that would be 35 feet high but they are not; they also could take part of the home off and do this also but they are not. He said that years ago he took part in a study on lot coverage in Sea Girt and noted that

only Sea Girt and Brielle allow 20% lot coverage, the rest allow more, so what made this home look so big in the last application were the 2 ½ stories with dormers everywhere and he again stated this project now is proposing a 1 ½ story home.

The lot coverage will increase to 24.1%, the covered entry on the side of the home is being moved over and will be okay. At the front of the home it is now flat and they want to add a small porch which really can be called an overhang; so there will be a 12.6 foot setback in the front instead of 15 feet that is there now, the rest of the front is staying. This new porch area will not be used much but it adds aesthetics as the home goes straight across; they feel this is a modest request and will make the home more appealing. The other changes to the property are not subject to any variances and there will be no change to the roofline on the main structure.

Mr. Rubino asked about negative impact and Mr. Rice said there was none as the other homes in the area are in line with what we propose as shown on Exhibit A-5. The garage has living space in it now and really can hold only one car but two cars can sit in the driveway with no problem, the driveway looks as if it is 25 feet long but it really is 20 feet to the sidewalk.

Mr. Benson asked about the centerline of the addition above the garage and Mr. Rice said it will be 7.5 feet and then down, it will not be totally sheetrocked and if they can get to 8 feet they will do so, the side walls will be about 5 feet. On Washington Boulevard the site goes up towards the back with more headroom.

Mrs. Boriotti said the original plan showed 19.8% coverage and asked if that plan did not include the garage. Mr. Thompson felt it would be hard to answer that question and Mr. Rice said he would not build a full story over this garage.

Mr. Cerami questioned the testimony on the new entryway and that it was for aesthetics only and Mr. Rice confirmed this and again said he would not even call this a porch, it is just an overhang. Mr. Rice said all the figures apply to the outermost line of the home and overhangs are included.

As there were no further questions from the Board, the meeting was opened to the public for questions to Mr. Rice and there was no response so that portion was closed. Mr. Rubino reminded the Board that Dr. Canterino was in the audience if the Board wanted to speak to him.

At this time the hearing was opened to the public for any questions or general comments and, as there was no response to this, this portion of the hearing was closed and the Board went into discussion.

Councilman Bogan felt the application was very well presented and there will be a minimal increase; he did not see any additional burden for the side overhang and agreed this property will be enhanced. He felt the applicants are somewhat straddled here and thought this was a good application. Mrs. Brisben felt this was a better application than the first one and complimented Mr. Rice on another job well done. Mr. Benson agreed and, as it is the first residential home to be seen after the Commercial Zone he would approve this application. Mrs. Boriotti also agreed and noted it was a good job for an oversized lot. Ms. Matthews said it was much improved and better than the first application. Councilman Farrell thought it was an attractive house and they should be allowed to have the new overhang. He was concerned about the 24% lot coverage and felt this may open the Board up to future problems, but he realized that this home is kind up shaped like a fishhook which creates this lot coverage issue. If they are asked to take the small wing off, they can then take the whole house down and build a 2 ½ story one. Mr. Cerami and Mr. Mastrocola had no further comments to add.

Councilman Bogan noted this application does not create another addition so he thought this would distinguish this from other applications with ask for overage in lot coverage. Chairman Hall felt that as long as they are considering the garage in lot coverage they are covering themselves and agreed with the other Board members this is a much better application. However, he did not ever want to see the front porch enclosed and made into a vestibule and Mr. Thompson felt this was a good point and should be applied to both porches. Chairman Hall said he would be very much in favor of this application as long as the porches stay open.

As there was no further discussion, Councilman Bogan made a motion to approve the application with the condition that the porches be left open, and noted this application is different from the first one and is an improvement aesthetically, the excess coverage is not significant as the doctor's wing makes this property not comply and there will be no negative impact on the area; this is a unique property which creates the need for these variances. Mrs. Brisben seconded the motion for approval and this application was approved by the following roll call vote:

Ayes: Councilman Raymond Bogan, Councilman Ken Farrell, Larry Benson, Karen Brisben, Susan Boriotti, Paul Cerami, Norman Hall, Michael Mastrocola, Kathryn Matthews

Noes: None

Wednesday, June 17, 2009

As there was no other business to come before the Board a motion to adjourn was made by Councilman Bogan, seconded by Mrs. Brisben and unanimously approved, all aye. The meeting was adjourned at 8:21 p.m.

Approved: