

SEA GIRT PLANNING/ZONING BOARD
REGULAR MEETING
WEDNESDAY, DECEMBER 20, 2023

The Regular Meeting of the Sea Girt Planning/Zoning Board was held on Wednesday, December 20, 2023 at 7:00 p.m. at the Sea Girt Elementary School and virtually on a Zoom Meeting.

In compliance with the Open Public Meetings Act, notice of this Body's meeting had been sent to the official newspapers of the Board and the Borough Clerk, fixing the time and place of all hearings.

Kevin Kennedy, Board Attorney was present as well as Chris Willms, Zoning Officer; Peter Avakian, Board Engineer, was absent and Board Secretary Karen Brisben recorded the Minutes.

The following roll call was then done:

Present: Councilwoman Diane Anthony, Karen Brisben, Mayor Don Fetzer, Stan Koreyva, Eileen Laszlo, Robert Walker, Norman Hall

Absent: Carla Abrahamson, Tom Britt, Jake Casey, John Ward

Chairman Hall asked if there was anyone in audience or the online audience that wanted to speak or ask a question on any topic not on the agenda this evening and there was no response. He then asked for an approval of the Minutes of the October 18th meeting and November 15 meeting and this was done on a motion by Mrs. Laszlo, seconded by Mr. Walker and approved unanimously with Mayor Fetzer abstaining as he missed the November meeting.

NEW BUSINESS:

The Board turned to an application for variance relief for Block 19, Lot 7, 115 Chicago Boulevard, owned by Kathleen Lindenthal, to allow converting a first floor interior space to a covered front porch & extension. Building coverage – 20% allowed, 20.4% existing, 20.9% proposed. Impervious Coverage – 35% allowed, 44.2% existing, 37.9% proposed. Mr. Kennedy asked if anyone in the audience had any comment, questions or concerns on the notice if they received one and there was no response.

The correct fees were paid, taxes are paid to date and the property owners within 200 feet as well as the newspaper were properly notified. Mr. Kennedy said both he and Mrs. Brisben had reviewed the notice, all was in order and the Board has jurisdiction over this matter. He then marked the following exhibits:

- A-1. The application package.
- A-2. The application checklist.

A-3. An Architectural Plan consisting of 6 sheets prepared by Paul Damiano, dated March 30, 2023, revision dated Aug. 11, 2023 on the plot plan, other sheets with the revision date of May 25, 2023.

A-4. A Topographic Survey consisting of 1 sheet prepared by Paul K. Lynch, dated July 14, 2023.

A-5. A Survey consisting of average front setbacks, 1 sheet, prepared by Paul K. Lynch, dated April 5, 2023.

A-6. A report from Leon S. Avakian, Inc., Board Engineer Peter Avakian, dated October 10, 2023.

A-7. A regular survey done by Paul K. Lynch, dated Feb. 20, 2020.

Mr. Kennedy then swore in Chris Willms, Zoning Officer who will be covering for the Board Engineer, Peter Avakian.

Mr. Rubino had additional exhibits to present:

A-8. A picture Board of the property, photos taken by Mr. Rubino, 3 photos taken a few days ago.

A-9. A photo of the driveway area taken by Mr. Rubino a few days ago.

At this time Kathleen Lindenthal, 115 Chicago Boulevard, came forward and was sworn in as well as Paul Damiano, Architect, 1721 Beverly Avenue, Spring Lake Heights. Mrs. Lindenthal stated she is the owner of the property and has owned it for 1 ½ years, they have just sold their home in Fair Haven and moved to 115 Chicago Boulevard. Her parents lived in Sea Girt for 30 years. she is their daughter and now owns the house. Mr. Rubino explained to the Board she is here as there is a two-story bump out at the corner of the home and she and her husband would like to take out the first floor of that and turn it into a porch instead of interior room. In order to access the porch they need to have an extension so need stairs; they are also reducing the impervious coverage from 44.2% to 37.9% and the Architect will explain all this in his testimony. Mr. Rubino noted that the reduction of the Impervious Coverage does not need Board approval but as they were coming in anyway they included it in the application. Mr. Rubino went on to speak about Exhibit A-9, the photo of the driveway and asked Mrs. Lindenthal if the photos on Exhibit A-8 and A-9 were accurate and she said they were, Exhibit A-8 shows the bump-out area where they want to change it around and create a porch here.

Mr. Rubino asked Mrs. Lindenthal to tell the Board a little about her background with the town and she said she met her husband at the Yankee Clipper 32 years ago and her parents had purchased a home on Brooklyn Boulevard 32 years ago also. They visited her parents all the time, including holidays; her parents then built a home at 115 Chicago Boulevard in 2006 and this is the home she has now inherited. She added that they just moved into the home today and the plan is to take out a small dining room in the bump-out and create a porch on the first floor and to keep the second floor as is. They really like the look of a front porch, all the neighbors have one so they decided to do this, but it doesn't go right where the front door is so they have to add 38 square feet so there can be access to the front door and she also felt it will make the house look better; they are also going to change the siding and upgrade the kitchen and floors.

They have 3 children, all grown, their one son is 30 and has autism which is why they are going to put a pool in, it is important for him to have it. They are going to be reducing the patio and taking out the planters which will reduce the impervious coverage.

As Mrs. Lindenthal's testimony was done and Chairman Hall wanted to hear from the Architect before having Board questions, Paul Damiano came forward and told the Board he has been an Architect for 30 years and have been to over 30 Boards including Sea Girt, he was accepted as an expert witness. He showed Exhibit A-3, page A-1 which shows the Architectural plans and has some coloring on them, the first page he referred to showed how boxy the house is and the recess at the front door. The orange color on the plot plan shows where the porch is and where they want to square up the area. Page A-2 shows the porch which will have columns with beams with 3 feet to the wall so the door can be on the porch, this adds up to 38 square feet added onto the porch to do this. This will get one out of the rain and still leave room for a sitting area. Page A-3 shows they are adding sub-fascia to add character and detail to reduce the boxiness of the elevation and Mr. Damiano explained how the new porch will soften up the look of the front.

He then referred to the rear and the paver patio will be reduced and planters removed as well as removing part of the walkway at the rear of the property. The colored green area shows part of the area where pavers are to be removed, all this reduces the impervious coverage to 37.9% from 44.2%. Mr. Damiano and Mr. Rubino then went over the Engineer's report the first page was mostly informational which they agreed with, they did do a soil boring that went down 12 feet and had no problem, the proposed drywell is oversized and they agree with page 2 information which references the pool information on the bottom of the page and the soil boring conforms with those requirements.

Page 3 speaks of testimony on lighting of the pool area and Mr. Rubino said they have not purchased a pool as yet but will comply with the zoning on lighting. Item 5 speaks about the fencing and Mr. Damiano said it will be a 4-foot fence with a self-latching gate. As far as landscaping there is already a lot on the property but they will add what is necessary around the pool for privacy if needed. They do comply with Item 6 on pool distance from structure and coping. As far as flood damage prevention spoken at the bottom of page 3, Mr. Damiano said they are not in a flood plain, they are in Zone X and are 5 feet higher than the nearest property in the flood zone. On page 4 it speaks of proposed swales and Mr. Damiano said there are notes on the plan that address this. This completed the review of Mr. Avakian's report and Mr. Damiano's testimony was finished.

Chairman Hall then asked the Board if they had any questions and Mr. Walker asked if it will be a solid porch, he was confused by the green color by that area and Mr. Damiano that shows part of the walkway which will be reduced as they are cutting out some width. Mayor Fetzer asked about the landscaping they referred to, what is the additional landscaping? Mr. Damiano explained this and Mr. Rubino presented Exhibit A-10 a picture of the landscaping there. Mrs. Lindenthal added that they will be adding landscaping in the front, she felt the back was okay, they have skip laurel & arborvitae

and they will replace anything that gets damaged during construction. Mrs. Brisben asked about something on the plot plan that says there is an "apparent" drywell and she asked what this means. Mrs. Lindenthal said there is a white canister in the ground with gravel in it and Mr. Damiano felt it was an old drywell for the original construction and they are adding another drywell which will be 3 times the size of the original one. Mayor Fetzer asked if the garage will still be accessible with the fencing around the pool and the answer was yes. Mrs. Brisben went back to Mr. Avakian's letter, Item D on page 4 regarding defining swales with grade and slope, does this mean revised plans are needed and Mr. Willms answered and said no, this will be addressed when the pool is being done.

As there were no further questions and there was no response from anyone on the Zoom meeting Mr. Rubino summarized the application. He felt this was an improvement to the property, taking away the dining room & making that area into a porch and they tried to keep the building coverage down as far as they could which is why they did not extend the proposed porch all the way to the other side. He asked for the Board to look favorably on this application.

The Board then gave their comments. Mr. Walker felt the improvements were not a problem and they were reducing the impervious coverage. Councilwoman Anthony appreciated the fact that they really looked into the Ordinances, taking a piece of the home and creating a porch out of it as well as removing the planters from the rear yard which helps reduce the impervious coverage; she had no issues with this application at this point. Mayor Fetzer wanted to applaud the applicant, who made every effort to comply with the spirit of the Ordinance and he felt this application makes perfect sense to add to the front for access to the front door. Mr. Koreyva was great with the application and wished them luck, Mrs. Laszlo thought it was a good design and good work by Mr. Rubino, Mrs. Brisben agreed with all that was said and felt the proposed work will, as stated, take away from the boxiness of the home. Chairman Hall thought it was great that they took part of the home and made a porch and he agreed it will look nicer.

There were no comments from the public on this so Mr. Kennedy then went over the conditions that will be in the Resolution: compliance with all the promises and commitments made during testimony, compliance with the Board Engineer's report, compliance with Affordable Housing rules, compliance with outside approvals, coming back before the Board if plans change, compliance with drainage and grading approved by the Board Engineer, 24 months timeframe to receive building permits, maintain landscaping, pool fence requirements with self-latching gates, drywell details to be approved by the Board Engineer and designed and maintained in accordance with company standards, pool lighting comply with Ordinance, compliance with FEMA and flood requirements if they apply, swale details will be handled at time of construction, no enclosure of the porch, additional landscaping in the front and replace any landscaping in the rear if needed. Mr. Kennedy felt that was all the conditions and they were acceptable to Mr. Rubino and the applicant.

At this time a motion to approve the above application, with the conditions noted, was made by Mrs. Brisben, seconded by Mr. Walker and approved by the following roll call vote:

Ayes: Councilwoman Diane Anthony, Karen Brisben, Mayor Don Fetzer, Stan Koreyva, Eileen Laszlo, Robert Walker, Norman Hall

Noes: None

Mayor Fetzer asked for confirmation from Mr. Willms that the requirements for the pool equipment will be met and the answer was yes.

OTHER BUSINESS:

Mayor Fetzer wanted to mention to the Board an article he had forwarded to the Board Secretary regarding Spain not putting in 7,500 wind turbines as it did not feel they will work and this agrees with Sea Girl's complaint on this matter, not enough research being done and they have not proven it does not damage sea life and is economically sound. Chairman Hall noted the Planning/Zoning Board also wrote a letter of complaint and Mayor Fetzer said the survey boat seen off the Sea Girl coast was for beach replenishment and not the wind turbines.

Mr. Koreyva spoke on tonight's application; it was an easy one that was agreed on and he felt if there was an Ordinance change in place on porches done they may not have had to even appear this evening. He asked that there be a meaningful discussion on porches and he has not heard that this was happening with the Ordinance Review Committee, something that makes sense with the Board and community, he had brought this up last summer.

Mrs. Laszlo then spoke and said she had a phone call with Heather Scaturo, who was tasked with looking at other towns and their porch Ordinances this summer but that was not completed and she also wanted to see it addressed again. She realized that the Ordinance Committee has had frustrating times dealing with differences of opinions on changes but did not feel it was right to ask people to pay to come before the Board and hire lawyers & Engineers to do plans on this issue. She seconded Mr. Koreyva's comments and felt this is something that should have happened a long time ago, she was for porches. She said this was to be addressed at the time of the Master Plan update and Chairman Hall told her it was and it was not accepted by Council.

She suggested hearing from the Ordinance Review Committee and Mr. Willms spoke and said, at the last discussion of the Ordinance Review Committee, it was decided to have a conversation with Mayor and Council on how they felt about front porches, give and take, the Committee was not going to look into it if Council was not going to support it. One of Mrs. Scaturo's tasks was to poll the Council on this matter on their feelings, concerns were for a home that is maxed out at 20% which would include a front porch and if an extra percentage can be granted for putting in a front porch. Builders today do not want to sacrifice building coverage for a front porch. Mrs. Laszlo felt there was a friction in town over the new builds and renovations and, in the


past few years, there have been a number of applications for renovations on existing homes and we have been a split Board on approvals. She asked Mr. Willms if Mrs. Scaturio did poll the Council and he did not know.

Mayor Fetzer said he felt tonight's application was good, they did not affect the Front Yard Setback, they took a part of the home and made it into a porch; he added that the setback thing is a big deal to him and felt putting a porch in the setback can have the effect of blocking the view for the neighbors, he called it a "march to the sidewalk" and changing the average setback. The applicant tonight respected the Ordinances and acted accordingly. Mrs. Laszlo commented that she is referring to open front porches and did not feel this would block views. Mayor Fetzer said he has a front porch on his home and if his neighbor were to build one at their home it would block his view and he would have a problem with allowing it. He agreed that if Council is not in favor of doing this the Committee should not be spinning its wheels. He also said he has not been contacted by Mrs. Scaturio on this and Councilwoman Anthony said she has not been contacted either. Mr. Koreyva understood the Mayor's point and was not talking on homes that were built two or three years ago, but was concerning older homes who had a building coverage under a certain level and to be able to have an open front porch not to exceed 6 or 7 feet and still have an absolute setback, this would not apply to new homes. He would like to see a reasonable compromise so people do not have to spend money and time to come before this Board. If the Ordinance Committee does not want to do this then the Board should have conversations on this; Chairman Hall suggested Mr. Koreyva and Mrs. Laszlo come up with suggestions to be considered.

Mayor Fetzer said he has a 100-year old home and loves his porch but he is still adamant about the 40 foot setback. Mr. Koreyva understood this but felt there could be a conversation on this and perhaps there is a middle ground that can be found, then everybody can win, Mrs. Laszlo commented she wanted, when she first came on the Board, to wear a shirt that says "I love porches". Mr. Koreyva and Mrs. Laszlo agreed to work on suggestions for the Board to consider.

As there was no other business to come before the Board, Councilwoman Anthony wished everyone a wonderful Christmas and a blessed, healthy New Year as well as peace on earth, agreed by everyone; a motion to adjourn was then made by Mayor Fetzer, seconded by Councilwoman Anthony and approved unanimously, all aye. The meeting was adjourned at 8:00 p.m.

Approved: January 17, 2024


Karen S. Brisben, Secretary