

**PLANNING BOARD
BOROUGH OF ATLANTIC HIGHLANDS
April 7, 2022**

The Regular Meeting of the Planning Board of the Borough of Atlantic Highlands was held on April 7, 2022 at Borough Hall, 100 First Avenue Atlantic Highlands.

WORKSHOP MEETING: 7:00pm

Roll Call:

Members Present – Dr. Zuzulock, Mr. Pepe, Mr. Hawley, Mr. McGoldrick, Mr. Neff, Mr. Caccamo, Mr. Josko, Mr. Krupinski, Mr. Crowther, Mr. Berth, Ms. Majewski

Members Absent – Mr. Dougherty, Mr. Kurdes

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Chairman Pepe called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements and filed in the office of the Municipal Clerk of Atlantic Highlands, on January 7, 2022. The “Open Public Meetings Act” compliance statement was read.

Mr. Pepe called for a moment of silent prayer followed by the Pledge of Allegiance.

Public Comment – Mark Fisher, 91 Third Avenue, indicated he is aware Council is having technology installed to host hybrid meetings and he hopes the Board follows suit. He would also like to see the TV monitors used for presenting exhibits.

Pending Litigation – None

Other Business – Mr. Neff advised that in the years passed, the Planning Board would chip in for an ad for the PBA Ball. It would be \$9 per person, and he asked that everyone give their money to Ms. Uriarte, Board Secretary. All Board Members indicated agreeance. Mr. Neff further suggested that new Board members take a look at the Master Plan, which can be found online. Mr. Hawley suggested they conduct site visits, as different neighborhoods have different characters. Mr. Steib added that a drive-by is okay but anything else, he would ask that the Board member contact the Board Secretary to advise the applicant a site visit is being done.

MR. NEFF OFFERED A MOTION TO ADJOURN THE WORKSHOP PORTION OF THE MEETING, SECONDED BY MR. MCGOLDRICK. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

REGULAR MEETING: 7:15 pm

Roll Call:

Members Present – Dr. Zuzulock, Mr. Pepe, Mr. Hawley, Mr. McGoldrick, Mr. Neff, Mr. Caccamo, Mr. Josko, Mr. Krupinski, Mr. Crowther, Mr. Berth, Ms. Majewski

Members Absent – Mr. Dougherty, Mr. Kurdes

Approval of Minutes – March 3, 2022 – Board members noted several typographical errors to be corrected. MR. NEFF OFFERED A MOTION TO APPROVE THE MINUTES OF MARCH 3, 2022 WITH TYPOGRAPHICAL CORRECTIONS, SECONDED BY MR. KRUPINSKI.

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Roll Call:

Ayes: MR. HAWLEY, MR. NEFF, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER, MR. BERTH, MS. MAJEWSKI

Nays: None

Ineligible: DR. ZUZULOCK, MR. PEPE, MR. McGOLDRICK, MR. CACCAMO

Absent: MR. DOUGHERTY, MR. KURDES

Approval of the Attorney Vouchers for February 2022 - Totaling \$3,654.00 - MR. HAWLEY OFFERED A MOTION TO APPROVE THE ATTORNEY VOUCHERS, SECONDED BY MR. NEFF.

Roll Call:

Ayes: DR. ZUZULOCK, MR. HAWLEY, MR. PEPE, MR. McGOLDRICK, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER

Nays: None

Ineligible: None

Absent: MR. DOUGHERTY, MR. KURDES

Resolution PB21-19, Block 68, Lot 5, 80 E. Washington Avenue (West End KB) – Denying Minor Subdivision Application - MR. HAWLEY OFFERED A MOTION TO ADOPT THE RESOLUTION, SECONDED BY MR. NEFF.

Roll Call:

Ayes: MR. HAWLEY, MR. NEFF, MR. JOSKO, MR. KRUPINSKI, MR. BERTH, MS. MAJEWSKI

Nays: None

Ineligible: DR. ZUZULOCK, MR. PEPE, MR. McGOLDRICK, MR. CROWTHER, MR. CACCAMO

Absent: MR. DOUGHERTY, MR. KURDES

Resolution PB21-20, Block 27, Lot 3, 12 Summit Avenue (Mager) – Granting Bulk Variance Approval – MR. NEFF OFFERED A MOTION TO ADOPT THE RESOLUTION, SECONDED BY MR. JOSKO.

Roll Call:

Ayes: MR. HAWLEY, MR. NEFF, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER, MR. BERTH, MS. MAJEWSKI

Nays: None

Ineligible: DR. ZUZULOCK, MR. PEPE, MR. McGOLDRICK, MR. CACCAMO

Absent: MR. DOUGHERTY, MR. KURDES

Request for Extension of Approval – PB20-27, Block 50, Lot 12, 31 Navesink Avenue (Hildebrant) – Bulk Variance Approval Granted May 6, 2021 – Mr. Steib explained that pursuant to Ordinance provisions, this applicant is requesting an extension of their variance approval which is set to expire one year from the original approval date. This request is due to supply issues and cost of materials, which is common due to the pandemic.

MR. HAWLEY OFFERED A MOTION TO APPROVE THE REQUEST FOR AN EXTENSION, SECONDED BY MR. CACCAMO.

Roll Call:

Ayes: DR. ZUZULOCK, MR. HAWLEY, MR. PEPE, MR. McGOLDRICK, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER

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Nays: None
Abstain: None
Absent: MR. DOUGHERTY, MR. KURDES

PB21-21, Block 127, Lot 17, 49 Center Avenue (Passman) – Application for Bulk Variance – Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter. The following exhibits have been previously marked: The Zoning Denial was marked as Exhibit A-1. The Variance Application was marked as Exhibit A-2. A location survey dated November 7, 2017 was marked as Exhibit A-3. A red line location survey was marked as Exhibit A-4. The review #1 of CME Associates, dated January 18, 2022 was marked as Exhibit A-5.

Stephanie and Jeffrey Passman were sworn in as owners of the property. Mr. Passman explained the request is to remove the existing chain link fence and replace it with a PVC fence with an extension of fencing to be added. Variance relief is required because they are a corner lot. They are seeking this type of fence material in order to screen the adjacent commercial use. The wood deck is being extended and the fence would run from the deck to the easterly property line.

Mr. Rohmeyer confirmed the proposed fence location and clarified that it will all be a six foot fence. The applicant confirmed landscaping will be installed between the fence and the sidewalk. The applicant also agreed to respect the property line by setting back the fence by approximately 4 feet.

Chairman Pepe opened the hearing to members of the public, however none appeared.

Mr. Passman provided several photos, which were marked as Exhibit A-6 to show the view from the home of the adjacent commercial use.

Ms. Majweski advised she understands the need to screen from the commercial use, but would like to see some openness if possible.

Mr. McGoldrick indicated this is a heavily trafficked area and he understands the need to screen.

MR. HAWLEY OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. MCGOLDRICK.

Roll Call:

Ayes: DR. ZUZULOCK, MR. HAWLEY, MR. PEPE, MR. MCGOLDRICK, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER
Nays: None
Abstain: None
Absent: MR. DOUGHERTY, MR. KURDES

PB22-01, Block 70, Lot 2, 88 E. Mount Avenue (Katchen) – Application for Bulk Variance - Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter. The following exhibits have been previously marked: The development Permit Application was marked as Exhibit A-1. The Zoning Denial was marked as Exhibit A-2. The Application for Variance was marked as Exhibit A-3. The property survey was marked as Exhibit A-4. The review #1 from CME Associates was marked as Exhibit A-5.

Maxine Katchen, 88 East Mount Avenue, was sworn in as the applicant.

Robert O'Connor, 21 Grand Avenue, was sworn in as the property owner.

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Ms. Katchen indicated she is seeking variance relief for the installation of a back-up generator due to the many power outages they have had. Mr. O'Connor added that the lot is a unusual shape and the contractor has advised that placement closer to the home and closer to the utilities would be best but because of the L-shape of the property, it creates a setback variance. They have a letter from the adjacent neighbor indicating her home is 35 feet from the generator and she is not opposing the application. The applicant presented two photos of the proposed location and distance between structures, which was marked as Exhibit A-6.

Ms. Katchen advised that the neighbor has already installed trees in that area and she will also be installing screening. She further advised to screening as a condition of approval.

The letter from the neighbor was marked Exhibit A-7. A photo of a playset in the yard, which creates hardship on placement of the generator, was marked as Exhibit A-8.

Mr. Hawley noted a shed on the survey that does not meet the setback requirements and suggests the applicant amend her application to include the shed. Ms. Katchen agreed.

Dr. Zuzulock asked for alternate photos to show they generator cannot be placed on the other side of the home. Photos showing the adjacent neighbors' home in closer proximity were marked as Exhibit A-9 and A-10.

Chairman Pepe opened the hearing to members of the public, however none appeared.

Board members offered comments indicating they are in favor of the application.

MR. NEFF OFFERED A MOTION TO APPROVE THE APPLICATION, AS AMENDED TO INCLUDE THE SETBACK FOR THE SHED, SECONDED BY MR. HAWLEY.

Roll Call:

Ayes: DR. ZUZULOCK, MR. HAWLEY, MR. PEPE, MR. McGOLDRICK, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER

Nays: None

Abstain: None

Absent: MR. DOUGHERTY, MR. KURDES

Dr. Zuzlock is recused from the following application and left the meeting.

PB21-17, Block 82, Lot 5.02, 6 Wesley Avenue (Duffy) – Application for Bulk and “D” Variances – Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter. The following exhibits have been previously marked: The Zoning Denial letter, dated March 3, 2021 was marked as Exhibit A-1. The variance application was marked as Exhibit A-2. The property survey, dated May 26, 2001 was marked as Exhibit A-3. The soils study was marked as Exhibit A-4. The architectural elevations were marked as Exhibit A-5. The review #1 from CME Associates was marked as Exhibit A-6. A response letter from PDR Architects was marked as Exhibit A-7. A memo from Mr. Steib was marked as Exhibit A-8.

Allison and Kevin Duffy were sworn in as the property owners and applicants. Mrs. Duffy advised they have lived in the home for 5-6 years and have had two daughters in that time and outgrown the home. They do not want to sell and leave town, so they have decided on an addition. They are on an undersized lot, which creates a hardship in designing the building addition.

Mr. Duffy added that the existing home is setback at eight feet and they would like to maintain that. The shed will be removed, and the front setback currently exists and will not be exacerbated.

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A sheet of photos of the existing home was marked as Exhibit A-9. The applicant explained the photos, noting that the addition will go where the deck currently exists. There will be no increase in bedroom count, the room sizes will just increase.

Mr. Rohmeyer advised that the Floor Area Ratio will be increased as the basement is included in those calculations. The architect clarified that the basement area is to be eliminated, however the FAR ratio is still at 0.42, where 0.40 is permitted. The applicant confirmed that the overall lot coverage is below the permitted percentage. Gutters and leaders will be extended to tie-in to the existing run-off system.

Chairman Pepe opened the hearing to members of the public, however none appeared.

Discussion was held regarding the FAR variance. Mr. Steib calculated that they will be approximately 105 square feet over on Floor Area Ratio. Mr. Rohmeyer confirmed it will be about 2% of the lot.

Mr. McGoldrick asked if there will be any tree removal. Mrs. Duffy indicated there will be none.

Board members offered comments to indicate they are in favor of the application.

MR. MCGOLDRICK OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. KRUPINSKI.

Roll Call:

Ayes: MR. HAWLEY, MR. PEPE, MR. MCGOLDRICK, MR. NEFF, MR. CACCAMO, MR. JOSKO, MR. KRUPINSKI, MR. CROWTHER, MR. BERTH
Nays: None
Abstain: None
Absent: MR. DOUGHERTY, MR. KURDES

PB22-02, Block 91, Lot 6, 33 E. Mount Avenue (Demaio) – Application for Minor Subdivision with Variances – Mr. Steib advised there was an issue with the newspaper notice and the application is being carried to May 5, 2022 at 7 pm in Council Chambers, Town Hall at 100 First Ave, Atlantic Highlands, NJ – a revised newspaper notice will be published, however no further property owners’ notice will be required.

Adjournment

Mr. Hawley made a motion to adjourn the meeting at 7:55 pm, second by Mr. McGoldrick. All present members voted in favor by voice vote.

Erin Uriarte
Planning Board Secretary