

**TOWNSHIP OF OCEAN
PLANNING BOARD
REGULAR MEETING
January 3, 2008**

7:30 P.M.

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, sending copies of the notice of the meeting properly provided adequate notice of the meeting to the Times- Beacon, the Atlantic City Press. Notice was posted on the bulletin board in the Administration Building.

The meeting of the Ocean Township Planning Board was held on the above date and time, Chairman Anepete presided and called the meeting to order.

ROLL CALL

Members Present:	Vincent Anepete	Ralph Avellino	Robert Knowles
	Richard Reilly	Dennis Tredy	Daniel Van Pelt
	James Eckert	Lee Eagles	

Members Absent: Rita Sweeney, Gordon Von Schmidt

Pledge of Allegiance

OATH OF OFFICE: All members were sworn in.

Chairman Anepete asked for a motion to approve the minutes of October 4, 2007 regular meeting. Ralph Avellino made a motion to approve, seconded by Dennis Tredy. Roll Call (Ayes) Avellino, Tredy, Eckert, Anepete.

Chairman Anepete asked for a motion to approve the minutes of November 1, 2007 regular meeting. Ralph Avellino, made a motion to approve, Robert Knowles seconded. Roll Call (Ayes) Avellino, Knowles, Tredy, Eckert, Anepete

Chairman Anepete asked for a motion to approve the minutes of November 19, 2007 Special Meeting. Dennis Tredy made a motion to approve seconded by Ralph Avellino. Roll Call (Ayes) Tredy, Avellino, Van Pelt, Eckert, Anepete

Chairman Anepete asked for a motion to approve the vouchers.

Ralph Avellino made a motion to pay, seconded by James Eckert. Roll Call (Ayes) Avellino, Eckert, Knowles, Reilly, Tredy, Van Pelt, Anepete.

Chairman Anepete stated that the correspondence list was in the office if anyone wanted to read it.

BOARD COMMENTS

Dennis Tredy stated that he felt that we had a very good year under Vincent Anepete's leadership and Ralph Avellino's. He also stated that he felt it would continue in the same respect.

Chairman Anepete asked Phil Kavanaugh to forward any information that is pending to Wayne McVicar.

OLD BUSINESS

Resolution No. 01.08.PB
Docket # 13.05
55 Main Street
Block 197, Lots 11,12, & 13
Lisa Bourgeois
Time Extension

James Eckert made a motion to accept resolution, seconded by Robert Knowles. Roll Call (Ayes) Eckert, Knowles, Avellino, Van Pelt.

Abstain: Vince Anepete

NEW BUSINESS

Docket # 09.07.PB
Gary Casper
Block 131, Lot 9.01
23 Birdsell Street
Minor Subdivision

Chairman Anepete stepped down, and Vice Chair Avellino took over.

Gary Casper and Debra Casper were sworn in.

Mr. Casper stated that he was here before the board to ask the board for approval of his minor subdivision.

Dennis Tredy asked if the applicant could expand upon his case. The board does have his application but we would like everything that you want to do on the record.

Debra Casper said they just want to subdivide the property into two lots. We would like to sell one lot. We tried to sell the house but it doesn't appear that is going to happen.

Vice Chair Avellino asked her if they intended to sell the lot. She stated that yes they were.

Dennis Tredy stated that he saw a for sale sign that states lot for sale. He stated that he felt that it was presumptuous of them when they haven't even got approval to subdivide yet. Debra Casper

said that they signed a separate contract with their realtor. Mr. Casper said at first they had the house for sale and they weren't able to sell it in its entirety. So then they applied for the subdivision which allowed them to reduce the sale price. Debra Casper said that the lot is listed pending the approval of the subdivision. Mr. Casper said they have not had any bites on the home or the lot so it will be a vacant lot.

Mayor Van Pelt stated that this property also falls under the authority of the redevelopment agency. So anything that takes place there in the future is going to have to meet what the redevelopment agency requires such as sidewalks, architecture, lamps, so as a matter of fact I think that we generated a letter of no interest because it was (a) simple subdivision and (b) we had yet to formulate a redevelopment plan that covered this zone. There isn't a plan in effect that we have adopted but if we did and this subdivision would essentially negate the municipality to perfect that plan then it would be an issue. But because there is no plan on the table right now a simple subdivision is fine and just so the board understands again it will come before the redevelopment agency if and when it is sold and someone wants to do something there. Even though it is a single family home we have a right to take a look at it, historically we don't but we do have the right to do so.

Dennis Tredy asked as far as the Redevelopment Agency is concerned, that area for redevelopment, how far back off of Main Street does that go.

Mayor Van Pelt said that it goes on the east side of Main 300 foot buffer in. That is how we got Mr. Izzo to do redevelopment on the corner of Skipper's Blvd.

Dennis Tredy asked if this type of subdivision was approved would the redevelopment agency have authority over the second lot.

Mayor Van Pelt said yes. Their entire property is in the zone.

Robert Knowles said that the only reason the Redevelopment Agency isn't dealing with this now is because you don't have a plan in place now.

Vice Chair Avellino stated that there would be restrictions on the property because of the zone it is in.

Mayor Van Pelt said absolutely.

Dennis Tredy asked if they could go back to the letter from T & M. They asked about sidewalks, and lighting.

Mayor Van Pelt said that that would be for new owners. It would be difficult to put the burden on the Casper's on the one lot because they are asking for a simple subdivision. If they were coming in and doing some improvements to the home or changing the use of the home then absolutely we would be asking for that.

Phil Kavanaugh was sworn in. Mr. Kavanaugh stated that this is a pretty straight forward minor subdivision. Both lots comply, there are no variances involved in the application. The only technical issue that I raised was the requirement of sidewalks and lighting and the Mayor

addressed that as far as the township position on that. The only other thing that I think the applicant should be aware of is that in the plans certain structures on the site to be removed. The structures are to be removed because with the subdivision and the right of way dedication it would be in violation of the ordinance requirement. These structures will have to be removed before the subdivision is perfected or else you will have to post a performance bond with the Township guaranteeing that you will remove these structures at some time. You really cannot proceed to finalize this subdivision until the wood garage and wood shed are properly removed as indicated on the plan.

Debra Casper said that the shed is the original kitchen and she asked if they would have to apply for a variance to keep it.

Mr. Kavanaugh said that actually it encroaches over the proposed subdivision line.

Debra Casper said that they removed a portion of it so that it wouldn't.

Mr. Casper said that the fence was removed and the dog pen that was attached was removed

Phil Kavanaugh asked, then what is remaining is 10 feet from property line? Mr. & Mrs. Casper said yes.

Dennis Tredy asked how far off the line is it?

Mrs. Casper said 10 foot.

Phil Kavanaugh said that the minimum standard right of way for a public road is 50 feet. It is a requirement that if the road is not 50 feet you have to dedicate what would create that.

Phil Kavanaugh said that with respect to the wood shed if a portion was removed and it now meets the side setback requirement then there is no need to remove it. But probably with a condition of approval the plan should be amended to show that a portion was removed and it does meet the setback requirements.

Dennis Tredy stated that he missed what was said about the other two structures.

Mrs. Casper said there is only one.

Mr. Tredy said that there is another one that indicates that it must be removed.

Mr. and Mrs. Casper said yes it is the garage.

Dennis Tredy asked if it is their intention to remove it.

Mr. & Mrs. Casper said yes if they have to. Mr. Casper said if he could be grandfathered in he would like it but if it has to be removed it has to be.

The engineer and the board said it would have to be removed according to the fact that it would be in the new lot of the subdivision, and it would be against our ordinance.

Again Phil Kavanaugh stated that if they show on the plan that they removed a portion of the shed to meet the setbacks it would be okay, but the wood garage would have to be removed.

Mrs. Casper said okay.

Phil Kavanaugh said that their engineer has to show what remains of the wood shed and show how far off the property line it is. That has to be done before it is presented to the Chairman and secretary for their signature.

Dennis Tredy said that any changes that you made prior should also be indicated.

OPEN TO THE PUBLIC

NOTING THAT THERE ARE NO MEMBERS OF THE PUBLIC PRESENT

CLOSED TO THE PUBLIC

Robert Knowles made a motion to approve the subdivision and Dennis Tredy seconded. Roll Call (Ayes) Knowles, Tredy, Avellino, Reilly, Van Pelt, Eckert, Eagles

Mr. & Mrs. Casper asked the question of how do we proceed.

Phil Kavanaugh stated that they could do it one of two ways. (1) Submit the plan and then the Township will hold it until the garage comes down or (2) Take the garage down and when your surveyor goes out to locate the shed he can also indicate that the garage has been removed and that would be shown on the plan.

PUBLIC COMMENT:

Seeing none

PUBLIC COMMENT CLOSED

Phil Kavanaugh stated that he would like to thank the board for the opportunity to serve as engineer for a period of time and he really appreciated it and really enjoyed it.

Chairman Anepete thanked him.

Motion to adjourn

Meeting adjourned at 8:03 PM