

Tuesday, July 12, 2022

**BRIELLE PLANNING BOARD  
TUESDAY, JULY 12, 2022**

The Regular Meeting of the Brielle Planning Board was held on Tuesday, July 12<sup>th</sup>, 2022, at 6:00 p.m., virtually. Ms. Trainor read the OPMA compliance statement and then announced it was time for the Salute to the Flag and a moment of silent prayer. Roll call was taken:

Present – Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice, Amber Fernicola

Absent – James Stenson

Also present were Mr. David Clark, Board Attorney, Mr. Alan Hilla, Board Engineer and Ms. Denise Murphy, Recording Secretary. There were 4 people in the audience.

A motion was made to approve the Minutes of June 14<sup>th</sup>, 2022, this done by Mayor Thomas Nicol, seconded by Councilman Frank Garruzzo, and then by the following roll call vote:

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice, Amber Fernicola

Noes: None

CORRESPONDENCE: Copies of DEP/CAFRA notices for: Block 59, Lots 1, 2, 1.01 & 1.02, Brielle Anchorage Marina, to allow the construction of finger piers attached to an existing pier/dock and install mooring pilings; Block 61, Lot 3-3.01, 30 Crescent Drive, owned by Daniel & Mary Walsh, to allow construction of a new home, residential pier, dock & boat lift.

March/April issue of the NJ Planner.

Ms. Trainor announced that the second item on the new business agenda, a use variance site plan for La Mondina, was being carried to the August meeting.

NEW BUSINESS: Application for variance relief for Block 66.03, Lot 16, 625 Union Lane, owned by Norman Noe, to allow construction of a full second story addition and front porch. Lot Area – 11,250 square feet required, 8,434 square feet existing. Lot Width – 75 feet required, 60 feet existing. Front Yard – 30 feet required, 27.7 feet existing to house & 2<sup>nd</sup> story, 20.5 feet proposed to porch steps. Side Yard Setback – 10 feet required east side, 10.5 feet existing, 7.6 feet proposed to side entrance; 10 feet required west side, 8.7 feet existing and proposed to house & 2<sup>nd</sup> story. Driveway – 5 feet from adjacent property line required, on the property line is existing and proposed.

Norman and Carol Noe stated they were the applicants and stated that engineer, John Freeman, would be appearing as well. Mr. & Mrs. Noe, and Mr. Freeman were sworn in by Mr. Clark. Mr.

Freeman stated he was a Professional Engineer employed by Najarian Associates in New Jersey. Mr. Freeman stated he was a licensed engineer and had appeared before Boards in Point Pleasant Beach, Little Silver, Surf City, Manahawkin, and many others. The Board accepted Mr. Freeman's qualifications to present evidence as a professional engineer.

Mr. Noe began by saying this was his primary residence and said they wanted to build a second story on the existing structure, a small addition in the rear and a porch in the front. Ms. Trainor explained to Mr. Noe that there was a criteria they would have to be meet in order to obtain variance relief. Ms. Trainor then asked Mr. Noe if he had received a copy of Mr. Hilla's letter dated, June 22<sup>nd</sup>, 2022. Mr. Noe replied that he had received Mr. Hilla's letter and then began to address the issues raised and changes that had been made to the plans. Mr. Clark asked Mr. Noe if the revised plans showing the changes had been submitted to Ms. Brisben, Board Secretary. Mr. Noe answered he thought so but was not completely sure. Ms. Brisben stated she would double check to see if she had received them.

Mr. Freeman displayed Exhibit A-1 described as a one page Revised Variance Plan. Mr. Freeman stated he believed the Board had received the Exhibit and if not he would supply a copy to the Board. Mr. Clark asked Mr. Freeman to describe the changes made so the Board members could understand the difference between the original plan and the revised one being shown. Mr. Freeman described and pointed to the changes made that were shown on Exhibit A-1.

Ms. Trainor asked Mr. Hilla if he would like to address the issues raised in his report. Mr. Hilla stated that on the architectural plans, the second floor was vertically higher than either of the two floors below it. Mr. Hilla asked if the roof pitch necessarily needs to be that steep and for what the area would be used. Mr. Noe answered that the space would be used for attic space and would not be occupied. Mr. Noe stated he did speak to his architect who said if the pitch were too steep or created a bulk concern, it could be adjusted. Mr. Noe asked Mr. Hilla how they could adjust that to fit the criteria. Mr. Hilla answered that by lowering the roof pitch but said he did not want to just jump to that because he would be curious what the internal math in the space would be and if it were ever converted to a half story that it would achieve a half-story requirement. Mrs. Noe stated they had no plans for the space other than storage and said that they were only planning to have pull down stairs to the area. Mrs. Noe stated that if the recommendation were to make it smaller, they would make it smaller. Mr. Hilla answered he did not know how much smaller it should be, it was not something he could suggest.

Mr. Hilla referenced the placement of the mechanicals at the side of the house and stated that the setback requirement was 5 feet back from the adjacent property line and stated there was no dimension where the air conditioning condensers would be. Mr. Freeman stated they would be no issue of placing the mechanicals within 5 feet of the property line and that they would show them on the plan and that they will comply with all requirements.

Mr. Hilla stated he had not heard a lot about the livability and necessity of the porch that was being proposed because that is really the main appendage that comes into the streetscape. Mr. Noe replied that like anyone else would, they would sit out on the porch and enjoy the nice weather. Mrs. Noe

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added that they would be able to see their kids at the park from the porch and said that the house next door to them has a porch.

Ms. Trainor announced it was now time to hear questions for Mr. Freeman and Mr. and Mrs. Noe from the Board.

Mayor Nicol stated the only question he had was about the mechanicals but his question had been addressed when the applicant stated they would comply.

Councilman Garruzzo asked Mr. Hilla if the issue Mr. Hilla discussed regarding the attic was the square footage or the height. Mr. Hilla replied that it was a combination of both and then explained the issue.

Mr. Jones asked if there were any plans to change the existing material on the driveway. Mr. Noe answered that they would prefer to keep the gravel driveway as is.

Mr. Siano asked if the depth of the house was approximately 30 feet. Mr. Freeman replied that it was 30.1 feet on the east side and 30.8 feet on the west side. Mr. Siano stated that when he looked at the elevations he did not feel that there would be very much attic space and explained how he came to his conclusion. Mr. Siano said he could see where Mr. Hilla was coming from but did not think that there was as much space in the attic as it appeared and thought the steeper pitch would make the house aesthetically look better. Mr. Siano stated he did think that they needed to add some windows on the side elevations.

Ms. Brisben asked if the east side neighbor's driveway was next to Mr. and Mrs. Noe's driveway. Mr. Noe replied that the neighbor's driveway was on the other side of their property. Ms. Brisben asked if the mechanicals could be placed in the rear yard. Mr. Freeman answered that it was possible. Mr. Noe stated they would prefer to keep them on the side if it met the setback requirement. Ms. Brisben asked if they were planning on keeping the porch open or closed. Mr. Noe answered that the porch would be kept open.

Mr. Tice asked what the bump out on the west side was a fireplace. Mr. Noe answered that he believed it was a fireplace. Mr. Tice asked if they were going to tie the fence into the front of the house instead of the middle of the house in order to fit the new stairway. Mr. Noe answered yes to Mr. Tice's question.

Ms. Trainor asked if the side door that the applicant was proposing would be for entry to a mud room with access to a bathroom. Mr. Noe replied yes to that question.

Ms. Frith and Ms. Fernicola did not have any questions.

Ms. Trainor announced it was time to hear questions for Mr. Freeman and Mr. and Mrs. Noe from the public. Hearing none, Ms. Trainor announced it was time to hear comments from the public. Hearing none, Ms. Trainor announced it was time to hear comments from the Board.

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Mayor Nicol stated he had no issues and felt the house would be an improvement to the neighborhood.

Councilman Garruzzo stated he agreed with Mayor Nicol, had no issues with the application and noted there had been no neighbors that had come forward with questions or issues.

Mr. Jones stated he agreed with Mayor Nicol and Councilman Garruzzo and thought it would definitely be an improvement.

Ms. Frith stated she had agreed with all the comments so far and said how nice it would be to see the kids in the park.

Mr. Siano stated he agreed with the previous comments and said it would be a nice addition to the neighborhood. Mr. Siano stated he like the architecture and would like to see some windows put on the sides of the elevations. Mr. Siano stated he was definitely in favor of the application.

Ms. Brisben stated she was in favor for the application but because the porch would go into the front yard setback, she would like to see in the Resolution that the porch be maintained as an open porch and never enclosed.

Ms. Fernicola stated she agreed that the porch should remain open and not ever be enclosed and agreed that there should be windows added as Mr. Siano suggested.

Ms. Trainor stated that the lot was non-conforming and believed that as a result felt that the applicant had met their burden of showing that they qualify for the Variance relief they were seeking. Ms. Trainor stated she was also convinced that the home would be an asset to the neighborhood and noted that no one from the public had come forward with any concerns where the mechanicals or driveway would be placed. Ms. Trainor stated she was in favor of the application.

Ms. Trainor asked Mr. Clark if he could review the conditions or recommendations made with respect to the application. Mr. Clark stated that to the extent that it has not already been provided, the Board needs 4 sets of Revised Variance Plans and a copy of the survey submitted to Ms. Brisben, the front porch would not be enclosed but would remain open and that the driveway would remain as a gravel driveway.

Ms. Trainor asked Mr. and Mrs. Noe if they had any objections to the conditions Mr. Clark had listed. Mr. Noe replied that he did not and felt the conditions were fair and thanked Mr. Siano for the window recommendation.

Ms. Trainor asked for a motion to approve the application with the conditions Mr. Clark had listed. Chris Siano made a motion, seconded by Councilman Frank Garruzzo, and followed by the roll call vote.

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Ayes: Mayor Thomas Nicol Councilman Frank Garruzzo, Corrine Trainor, Chris Siano, Karen Brisben, Stephanie Frith, Jay Jones, Charlie Tice, Amber Fernicola

Noes: None

Absent: James Stenson

Mr. Clark asked Mr. Freeman to submit a copy of Exhibit A-1 to the Board to be placed in the file. Mr. Freeman replied that he would submit a copy.

Ms. Trainor asked if there were any other business to bring before the Board. Hearing none, Ms. Trainor asked for a motion to adjourn. Mayor Thomas Nicol made the motion, and was unanimously by the Board, all ayes. The meeting was adjourned at 6:50 pm.

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Denise Murphy, Recording Secretary

Approved: August 9<sup>th</sup>, 2022