

Tuesday, March 14, 2023

BRIELLE PLANNING BOARD
TUESDAY, MARCH 14th, 2023

The Regular Meeting of the Brielle Planning Board was held on Tuesday, March 14, 2023 at 7:00 p.m., in the Brielle Borough Hall, 601 Union Lane. Ms. Trainor read the OPMA compliance statement. After a moment of silent prayer and a Salute to the Flag, roll call was taken:

Present – Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Karen Brisben, Jay Jones, Amber Fernicola

Absent – James Stenson, Chris Siano, Stephanie Frith, Charlie Tice

Also present were Mr. David Clark, Board Attorney, Mr. Alan Hilla, Board Engineer and Ms. Denise Murphy, Recording Secretary. There were 5 people in the audience.

A motion was made to approve the Minutes of February 21, 2023, this done by Councilman Garruzzo, seconded by Jay Jones, all ayes, no nays.

OLD BUSINESS: Letter from Daniel Burke requesting extension of time for filing his Minor Subdivision deed for 409 Union Lane.

Ms. Trainor announced that the first item on the agenda would be carried to the April 4th, 2023 meeting due to an issue with counsel and said that all parties had agreed to the adjournment. Mr. Clark stated that there would be no requirement to re-notice this application.

Ms. Trainor then said there was confusion with some of the Board members with respect to the date of the April Planning Board meeting. After some brief discussion between the Board members, a motion was made by Councilman Frank Garruzzo to change the meeting date to April 4th, 2023, the motion was seconded by Mr. Jones and then with a unanimous vote, all aye.

OLD BUSINESS: Continuation of discussion on Housing Element & Fair Share Plan.

Ms. Trainor began by announcing that the question portion had concluded during the February meeting and it was now time to hear comments from the public with respect to Ms. Chavon's testimony and recommendations regarding the Housing Element and Fair Share Plan. Hearing no questions from the public, Ms. Trainor announced it was time to hear comments from the Board.

Mayor Nicol stated he was satisfied with the plan and thought it was the best alternative for Brielle. Councilman Garruzzo stated he agreed with Mayor Nicol and said he had reviewed the plan and said he agreed with the plan. Mr. Jones also stated he agreed with the plan as discussed. Ms. Brisben stated she felt the plan was very well done and that the plan was something important to put into place. Ms. Fernicola stated she felt it was a good plan. Ms. Trainor stated she wanted to thank Ms. Chavon on behalf of the Planning Board and Brielle for putting in the extraordinary effort that she did and said her hard work was appreciated. Ms. Trainor stated that the proposal to

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create an overlay zone to plan for where affordable housing will one day be in Brielle was thoughtful and responsible.

Ms. Trainor asked for a motion to adopt the Housing Element and Fair Share plan that was proposed. A motion was made by Councilman Frank Garruzzo, seconded by Jay Jones, and then approved by the following roll call vote:

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Karen Brisben, Jay Jones, Amber Fernicola

Noes: None

NEW BUSINESS: Application for variance relief for Block 99.03, Lot 8, 920 Cole Drive, owned by Gina Addeo, to allow an addition/alteration. Maximum Building Coverage — 20% allowed, 21.42% proposed.

Attorney Keith Henderson, Henderson & Henderson, Manasquan, NJ, stated he was representing the applicant. Mr. Henderson said that the application was relatively simple with two nonconformities, one that is pre-existing and one very small variance that the applicant is seeking approval for. Mr. Henderson stated he had two witnesses to present and asked them to be sworn in. Mr. John Lord, FP&L Associates, Inc., and Mr. Peter Dorne, Peter Dorne Architects, were sworn in by Mr. Clark. Mr. Lord stated he would be testifying as both Engineer and Planner and Mr. Dorne stated he would be testifying as an Architect.

Mr. Dorne stated he was a licensed Architect in the state of New Jersey and had given professional testimony before many Planning Boards and Boards of Adjustment. Ms. Trainor announced that the Board accepted Mr. Dorne as an expert witness in Architecture.

Mr. Dorne began by displaying a document that he called A-2.0, Commission Number 6930. This exhibit was marked as A-1. Mr. Dorne described the exhibit as the proposed frontage of the home. Mr. Dorne stated that the applicant had contacted him because she wanted to change the design of the home from a Mediterranean style to a shingled style home which Mr. Dorne thought would be more appropriate for the water front. Mr. Dorne then referred to Exhibit A-1 and began to identify the changes that the applicant was proposing. Mr. Henderson referred to Mr. Hilla's letter and asked Mr. Dorne to address Mr. Hilla's concerns with attic space, drainage, and the variance needed for coverage. Mr. Dorne stated that the rooms in the attic space had been eliminated and that space would only be used for storage and for the mechanical system and said that the drainage referenced in the letter was left to Mr. Lord. Mr. Dorne then described the details of the variance that the applicant was seeking. Mr. Dorne finished by saying it was his professional opinion that the proposed plan would enhance the visual look of the house. Mr. Henderson stated he had no other questions for Mr. Dorne.

Ms. Trainor announced it was time to hear questions from the public for Mr. Dorne. Hearing none, Ms. Trainor announced it was time to hear questions from the Board. Councilman Garruzzo asked about the inconsistency in the coverage percentages between the Zoning application and the

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Planning Board application. Mr. Henderson replied that the coverage they were seeking is 21.42%. Mr. Jones asked what the height of the cupola from the center was. Mr. Dorne answered it was 36.5 feet from the ridge and the cupola was another 15 feet. Mr. Henderson stated there was not a variance required for the cupola. Mr. Hilla stated he did check the Borough Ordinances and confirmed that Mr. Henderson was correct. Ms. Brisben referred to Mr. Hilla's letter and said on page two, it says that sheet A1.1 depicting Section A on sheet A3.0 was not submitted with the plans and asked if that one copy of missing sheet could be submitted to the Planning Board. Mr. Dorne stated they would supply a copy to the Board. Ms. Trainor stated that Mr. Dorne had testified that they had eliminated a side yard setback and asked Mr. Dorne to explain that in more detail. Mr. Dorne answered they had two different visions and the one they had chosen would no longer need a side yard setback variance. Mayor Nicol and Ms. Fernicola did not have any questions for Mr. Dorne.

Mr. Henderson called Mr. John Lord to testify. Mr. Lord stated he was a Professional Engineer and Professional Planner and had given testimony before Planning Boards and Boards of Adjustment in the State of New Jersey. Ms. Trainor announced that the Board accepted Mr. Lord as an expert witness in Planning and Engineering.

Mr. Henderson asked Mr. Lord if he had reviewed that coverage variance the applicant was seeking. Mr. Lord replied he had and then presented Exhibit A-2, described as the Plot Plan. Mr. Lord described the details of the exhibit to the Board. Mr. Lord stated that he had looked at the neighboring properties and said that the variance would not be visible from the street. Mr. Lord asserted that it was his professional opinion that there would not be a negative impact on the public good or the Zoning plan. Mr. Lord also said that the variance the applicant was seeking was minor and that the proposed changes would be a great improvement to the property and the house. Mr. Henderson referred to the part of Mr. Hilla's letter regarding the drainage and asked if Mr. Lord could address that. Mr. Lord said that the drainage on the lot would run to the river and said they were proposing to run all of the down spouts from the house, along the edge of the house to the river, which would take care of around 90% of the runoff. Mr. Lord referred to a comment about the street/driveway and stated that they would work with Mr. Hilla and would comply with his requests. Mr. Henderson stated he had no further questions for Mr. Lord.

Ms. Trainor announced it was time to hear questions from the public for Mr. Lord. As there were no members of the public present, Ms. Trainor closed that portion of the meeting and asked the Board if they had any questions for Mr. Lord. Mr. Jones stated he was concerned about the drainage and asked Mr. Hilla if he could make any suggestions regarding that issue. Mr. Hilla answered that Mr. Lord's testimony about the drainage was an acceptable treatment for the stormwater. Ms. Brisben asked if it were true that a drywell was not needed because the runoff would go directly to the river. Mr. Lord answered that was true. Ms. Brisben asked if the applicant was planning on removing any trees. Mr. Lord replied that they were not planning on disturbing any of the mature trees on the property and said it was their intention to save as many trees as possible. Mayor Nicol, Councilman Garruzzo, Ms. Trainor, and Ms. Fernicola did not have any questions for Mr. Lord. Mr. Henderson stated he had concluded his application.

Ms. Trainor announced as there was no public in attendance to make comments, that portion was

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closed and it was time to hear comments from the Board.

Mayor Nicol stated he felt it was a good application and did not have any issues to address. Councilman Garruzzo stated that he agreed with Mayor Nicol, said the variance being sought was minor, that it would be an asset to the community. Mr. Jones said he thought the property was beautiful, that the new elevations would also look beautiful but said he had some concerns with the height of the cupola. Ms. Brisben said she felt the change would be beautiful and asked Mr. Henderson if the house would be shingled. Mr. Henderson answered that the house would be shingled. Ms. Fernicola stated she thought it would be an improvement. Ms. Trainor stated she accepted the testimony of the engineer and planner in respect to the negative and positive criteria and believed the applicant had met the requirements for variance relief.

Mr. Clark then listed the stipulations that the applicant had agreed to. Ms. Trainor asked for a motion to approve the application with the stipulations Mr. Clark had listed. Councilman Frank Garruzzo made a motion, seconded by Karen Brisben, and followed by the roll call vote.

Ayes: Mayor Thomas Nicol, Councilman Frank Garruzzo, Corinne Trainor, Karen Brisben, Jay Jones, Amber Fernicola

Noes: None

At this time Ms. Trainor asked if any member of the public wanted to address the Board on any other business not on the agenda and there was no response. As there was no other business to come before the Board, a motion to adjourn was made and seconded with unanimous vote, all aye. The meeting was adjourned at 7:37 p.m.

Denise Murphy, Recording Secretary

Approved: April 4, 2023