

MINUTES
ISLAND HEIGHTS PLANNING BOARD – November 8, 2018

The regular meeting of the Island Heights Planning Board was called to order by Chairperson Noble at approximately 7pm. Following the flag salute roll call was taken and present were: Bill Noble, John Bendel, Joe Connors, Karen Kier, Donald Roberts, Bob Baxter, Thomas Kunz, and Mike O'Donnell. Absent: Sean Asay, Bob MacNeal, Ellie Seibert Frank Wetta, and Wendy Prior.

Motion to approve the Resolution for Brick, Block 58 Lot 6 to deny was made by Mr. Bendel second by Mr. Baxter.

Roll Call Vote:

Mr. Noble	Yes	Mr. Roberts	Yes
Mr. Asay	Absent	Ms. Seibert	Absent
Mr. Bendel	Yes	Mr. Wetta	Absent
Mr. Connors	Yes	Ms. Kier	Yes
Mr. MacNeal	Absent	Mr. Baxter	Yes

Mr. Kunz swore in Chet DiLorenzo who gave his credentials. The Board accepted him as an expert witness. Mr. DiLorenzo said his client owns 224 VanSant Ave.; it is in the Medium Density Residential Zone. The property is 2.8 acres or 36,000 square feet. The owners asked him about subdividing the property and sell the other lot to help pay for college for their son. Mr. DiLorenzo explained that he tried numerous ways to do this and one was to do a major subdivision with a cul de sac but could not get a lot depth of 100' with this option. Since that didn't work it was decided to go for a minor subdivision which would keep the existing house and put one to the rear of it. Mr. DiLorenzo stated that one lot would be conforming to a 75 foot frontage and the other would be a 20' lot frontage however the size would be 19,391 square feet and the front lot would be 16,746 square feet where 7500 square feet is required. This lot has enough area to handle 5 proposed lots if the geometry were different. Mr. DiLorenzo went to explain the lots and their sizes within the 200' radius.

Mr. DiLorenzo discussed the letter from Mr. O'Donnell and agrees with the report and has no problems complying with the utilities and that there is water/sewer to proposed dwelling. Chairperson Noble asked Mr. DiLorenzo about the storm water factor. Mr. DiLorenzo stated it would be addressed in the plot plan and they would comply with onsite re-charge divisions of the RSI code and Borough ordinances to make sure the storm water would stay onsite and not be drained off. Chairperson Noble asked about the variance being requested is it only for the lot frontage. Mr. DiLorenzo said yes they tried many different ways to arrange this but the least amount of impact would be the 20' frontage.

Mr. Baxter stated that the applicant is basically asking for a flag lot and in planning terms they are not something you ordinarily want to have. There is nothing wrong with this lot, the existing house could be knocked down and another larger dwelling constructed and still not need a variance; flag lots are not something one wants to have. Mr. DiLorenzo stated if there is another way to do this then yes flag lots are not desirable. Further discussion was held on flag lots and alternate plans for this lot by Mr. DiLorenzo and the Board.

Mr. Kunz swore in David Ravettine, 224 VanSant Ave.

Mr. Bendel asked Mr. Ravettine about ownership and if this was a sale that was contingent on this application. Mr. Ravettine said they have owned the house for approximately 3 years. Mr. Bendel said that we would be creating two non-conforming lots if we approve this application. Mr. DiLorenzo said no only one non-conforming and again explained the lot size. Mr. Bendel stated that he does not see the hardship in this application and according to the laws there must be a hardship. Mr. Ravettine said his only hardship is that the property he owns he either has to sell or do this plan in order to pay off his son's college bills. They purchased this land because his wife loves this town and they have plans to retire here. It is a hardship to keep it running, pay the taxes, etc. As for the uniqueness he would have to let Mr. DiLorenzo handle that. Mr. DiLorenzo gave a history of the property and how a piece was taken off and created the lot as it is now which is narrower in the front and wider in the backs so the hardship is the geometry and/or topography. Further explanation of the shape of the lot and other lots in the area and other ways to do a subdivision was held by Mr. DiLorenzo and the Board.

Mr. Baxter stated that despite what the applicant would like to have this minor subdivision because of their particular situation it is a hardship to them but not necessarily to us under terms of the land use law and not for financial reasons. Mr. DiLorenzo agreed that financial reasons are not a hardship under the MLUL. Mr. Baxter further stated that there is nothing wrong with the lot

which creates a hardship even with the geometric aspects. Further discussion held by Mr. Baxter and Mr. DiLorenzo on the size and intent of application in respects to hardship.

Mr. Noble opened the floor to the public. No comments were made so Mr. Noble closed the public portion.

Motion to deny the application was made by Mr. Baxter; he finds no hardship under the land use planning laws and that there is nothing unique about this lot and no hardship was demonstrated by the applicant; second was made by Mr. Bendel.

Roll Call Vote:

Mr. Noble	Yes	Mr. Roberts	Yes
Mr. Asay	Absent	Ms. Seibert	Absent
Mr. Bendel	Yes	Mr. Wetta	Absent
Mr. Connors	Yes	Ms. Kier	Yes
Mr. MacNeal	Absent	Mr. Baxter	Yes

Motion to adjourn the meeting at 7:35pm was made by Mr. Roberts second by Mr. Connors. Unanimous Voice Vote.

Respectfully Submitted by Wendy J. Prior