

REGULAR MEETING:

7:30 P.M.

Virtual Meeting
Via GoToMeeting

<https://www.gotomeet.me/OCEANTWP/commdev>

You can also dial in using your phone.

United States: [+1 \(786\) 535-3211](tel:+17865353211)

Access Code: 114-689-133

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/114689133>

MEMBERS
PRESENT: Joseph DiBenedetto, Chairman
Edward DiFiglia, Class II
John Duthie
David Fisher, Class III
Estelle Klose
Jeffrey Weinstein

MEMBERS
ABSENT: Warren Goode, V Ch.
Peter Siano, V Chair

OTHERS PRESENT: Sanford D. Brown, Esquire Board Attorney
William Fitzgerald, P.E. Board Engineer
Ron Kirk Planning Administrator
Amy Stewart Planning Board Secretary
Recording Secretary

Chairman DiBenedetto announces that the notice requirements for the Open Public Meetings Act have been satisfied, a copy of the notice having been sent to the Asbury Park Press and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk on July 27, 2020.

NEW CASES:

1. **Giovanni Scarpino**
Block 9 Lots 6.11 & 7.11
65 Larchwood Avenue
Elberon
R-1

This is an application to re-subdivide 2 lots to create 3 new lots. These lots are a result of a previous subdivision where one large lot was subdivided into three vacant building lots and the larger lot, which contained a residence and a horse farm, remained. Attorney for the Applicant: Jennifer S. Krimko, Esq.

Attorney for the applicant, Ms. Jennifer Krimko, begins by stating she would like to provide an overview of the application, before moving on to the reports submitted by Mr. Fitzgerald and Mr. Higgins. Ms. Krimko shares the subdivision plan, titled as Exhibit A-1, with the Board. Mr. Fitzgerald identifies the lots to be subdivided and reads from the report prepared by Mr. Higgins dated January 20, 2021. The report identifies the primary concern to be the possibility of structure being made nonconforming following potential future development of an access road, which was addressed through designation of a 50' side yard setback. It also recommends the required street trees be planted now, and that they be consistent with other trees along Larchwood Avenue. An addendum dated January 25, 2021 also identifies concerns with tree and soil removal. Ms. Krimko presents an altered plan which results in the removal of fewer trees. Mr. Fitzgerald recites his report dated January 22, 2021, identifying the stormwater management as a point of concern. Ms. Krimko suggests requiring a full engineering buildout as a condition of approval. Ms. Krimko also states they would be willing to comply with all engineering concerns. Chairman DiBenedetto asks for any questions from the Board, before himself asking why the location for the stormwater basin was chose. Ms. Krimko replies that the engineer will have to testify to the answer.

Mr. Brown swears in Mr. Eric Ballou, project engineer. Mr. Ballou testifies that the basin is being installed in the lowest area of the property. Ms. Krimko states they would be willing to relocate the drainage easement to the south to distance from the backyards of Perrine Avenue. Chairman DiBenedetto asks where exactly it would be relocated to, and Ms. Krimko shows the location on the grading plan. Chairman DiBenedetto asks how many trees would be removed for the basin, and Ms. Krimko answers with approximately 65. Chairman DiBenedetto then asks whether the easement could be relocated further south on the property, along with building out the entire basin now. Ms. Krimko states

that it may be moved as part of future development, but that building out now would remove a number of trees that do not necessarily need to be removed at this point. Mr. Fitzgerald points out the basin may also drain water from other properties. Chairman DiBenedetto asks how Mr. Fitzgerald believes the basin may affect the properties on Perrine Avenue, and Mr. Fitzgerald responds that it would lessen the runoff sent to the Wilson Avenue basin. Chairman DiBenedetto asks to see the tree replacement plan, and Ms. Krimko requests to present it once action has been taken, which Mr. Brown agrees to. Mr. Fisher asks Mr. Fitzgerald if the project would adhere to the new stormwater management regulation, and Mr. Fitzgerald replies it would follow the current regulations, but that the only difference is the use of green infrastructure. Mr. Fisher also asks if the runoff may cause greater problems for future development, and Mr. Fitzgerald responds that he believes the development would create less issues with runoff. Ms. Klose asks if the project will meet stormwater runoff regulations, and Mr. Kirk responds that it will. Chairman DiBenedetto opens the meeting to public questions. Ms. Lisa Shabot of 56 Larchwood Avenue, asks why the two lots will be less than the frontage of other properties. Mr. Ballou answers that the frontage meets the required frontage for the zone. Ms. Shabot asks if the zone had been changed at some point, and Ms. Krimko replies that she is not aware of any change. No other public questions are raised for the engineer.

Chairman DiBenedetto asks if Ms. Krimko has any other expert testimony to present. Ms. Krimko responds that she does not. Chairman DiBenedetto then opens the meeting to public commentary. Mr. Brown swears in Ms. Shabot, who comments that the creation of a driveway will worsen traffic problems that Larchwood Avenue already suffers due to Monmouth University. Ms. Emilie Hedaya of 7 Old Farm Road is sworn in, comments that she is concerned with overdevelopment of the area. Mr. Steven Cornman of 54 Larchwood Avenue is sworn in, and comments in agreement with Ms. Shabot and Ms. Hedaya. Ms. Shabot then comments that the date of the meeting prevented many of her neighbors who feel the same way from attending. Ms. Krimko objects, and states that Ms. Shabot cannot comment for others, asking that her statement not be considered. Chairman DiBenedetto agrees. Mr. Cornman asks for the meeting to be redone at a later date so others may attend. Ms. Krimko asks if Mr. Cornman is aware that the application does not propose any development on the lot, and only creates an extra lot. Mr. Cornman responds he is aware.

Chairman DiBenedetto makes a motion to close the public meeting and it is seconded by Jeffrey Weinstein.

In Favor: DiFiglia, Duthie, Fisher, Klose, Weinstein, DiBenedetto
Opposed: None
Ineligible: None
Absent: Goode, Siano (audio issue)

Ms. Krimko asks the Board to consider the public comments are concerning potential development that is not on the application. Chairman DiBenedetto asks if there was a possibility to increase the lot frontage to match the property across. Ms. Krimko responds they cannot increase the size due to contractual obligations. Mr. Brown asks whether they are applying for a variance for soil removal, as Ms. Krimko stated no variances were being sought. Ms. Krimko clarifies no variances for lot size are being sought. Mr. Duthie asks for clarification of the contractual obligations preventing an increase in frontage. Ms. Krimko states that as the frontage meets the ordinance, there is no reason for the Board to deny it.

A motion to adjourn the meeting is made by John Duthie and seconded by Dr. David Fisher.

In Favor: DiFiglia, Duthie, Fisher, Klose, Weinstein, DiBenedetto, Siano
Opposed: None
Ineligible: None
Absent: Goode

Meeting ends at 9:20 P.M.
