

**BOROUGH OF LAKEHURST LAND USE BOARD
SPECIAL MEETING
MARCH 8, 2021
MINUTES**

MEETING OPENED AT 7:30 P.M. BY CHAIRMAN DAVID BURTON.

ALL STOOD FOR THE PLEDGE OF ALLEGIANCE.

PUBLIC MEETINGS STATEMENT READ INTO RECORD BY BOARD SECRETARY CAPASSO:

"IN COMPLIANCE WITH N.J.S.A. 10:4, OPEN PUBLIC MEETINGS ACT, NOTICE WAS GIVEN TO THE NEWSPAPER, AND POSTED ON THE BOROUGH WEBSITE, THAT A SPECIAL MEETING OF THE LAKEHURST LAND USE BOARD IS SCHEDULED FOR THE EIGHTH DAY OF MARCH 2021 AT THE HOUR OF 7:30 P.M. TO BE HELD IN THE LAKEHURST COMMUNITY CENTER, 207 CENTER STREET, AT WHICH TIME THE BUSINESS OF THE BOARD WILL BE CONDUCTED."

ROLL CALL:

*Alternate Member

MAYOR ROBBINS: PRESENT
COUNCILMAN OGLESBY: PRESENT
CHAIRMAN BURTON: PRESENT
BRYAN LEVANCE: PESENT

ANDREW HODGES: ABSENT
SIDNEY HOOPER: PRESENT
MARANDA SALAS: PRESENT
DAVID SUMNER: PRESENT
*#1 PATRICK McPARTLIN: PRESENT
*#2 ERIC ROBBINS: PRESENT

APPROVAL OF MINUTES:

Motion by: Sid Hooper

Seconded by: Maranda Salas

To approve minutes of February 22, 2021 Regular Meeting. Roll call vote held. All votes affirmative except for Board Member David Sumner who abstained due to his absence at the February 22nd meeting.

OLD BUSINESS:

CONTINUATION OF APPLICATION OF DONNA SLOAN FOR HARDSHIP VARIANCE RELIEF FOR LOT WIDTH, LOT FRONTAGE, LOT DEPTH, AND COMBINED SIDE YARD SETBACK AT THE PROPERTY DESIGNATED AS BLOCK 62, LOT 20 (which had begun at the meeting of February 22, 2021):

Applicant's engineer, Frank Baer, was sworn to give testimony at 7:32 p.m. by Board Attorney Adam Pfeffer.

Mr. Pfeffer reminded everyone the survey for block 62, lot 20 is marked as exhibit A-1.

Mr. Baer stated the applicant's property is located at 8 Center Street in a R-2 Residential Zone. Mr. Baer also stated the home was built in 1850; however, it was destroyed by a fire. Mr. Baer went on to say the surrounding uses are single-family homes except for the multi-family apartments that are directly across the street. Mr. Baer further stated the one lot next to the applicant's lot, lot 19.01, is a conforming lot whereas the lot on the other side, lot 21, is not conforming. Mr. Baer stated the applicant is requesting five variances adding the variances are for minimum lot area of 3,300 square feet where 7,500 is required, minimum lot width of 30 feet where 60 feet is required, minimum lot frontage of 30 feet where 60 feet is required, minimum lot depth of 110 feet where 125 feet is required, and a minimum combined side yard setback of 10 feet where 12 feet is required. Mr. Baer also stated the applicant is seeking design waivers for a gravel driveway and for the driveway to be 1.5 feet from both property lines whereas 10 feet is required. Mr. Baer further stated the shed on the property will be removed. Mr. Baer went on to say buy-sell letters did go out to adjoining owners and added he had proof of mailing.

Mr. Pfeffer asked that the copy of the buy-sell letters and proof of mailing be introduced as exhibit A-2.

Mr. Baer stated there was no response to the buy-sell letters as to whether there was parcel available to buy or sell to the applicant; therefore, a hardship is established.

Mr. Pfeffer stated all variances are pre-existing conditions except for the combined side yard setback and ask if the applicant was still seeking a variance for the combined side yard setback.

Mr. Baer stated in order to provide a structure that allows for privacy within a dwelling so that the dwelling has a hallway to access to all rooms, the applicant will need the 10 feet side yard setback. Mr. Baer went on to say the applicant is requesting a design waiver for a gravel driveway so that they can have the modular home set adding some time in the future the applicant will pave the driveway. Mr. Baer also stated there are a few homes in Lakehurst that have gravel driveways. Mr. Baer further stated the proposed driveway will need 1.5 feet from the property line on both sides to meet the 3-parking space requirement.

Mr. Baer discussed the engineer's review comments. Mr. Baer stated the undersize lot, hardship associated with the property, the proposed home is in character with the neighborhood, removal of the shed, and the driveway were addressed in his testimony. Mr. Baer went on to say the borough engineer recommended a defined swale on either side of the dwelling to eliminate drainage run-off from the property onto neighboring properties adding swales are difficult to grade therefore he is proposing time tie curbing along the property line and direct the runoff towards the rear yard and road. Mr. Baer also stated the plans indicate all downspouts for roof drainage shall be directed towards roof wells. Mr. Baer further stated the certified block for signatures and applicant's

information have been added to the plans and added he will add the list of property owners within 200 feet of the site.

Mr. Baer stated it is his opinion that the existing conditions of the lot area, lot width, lot frontage, and lot depth are a true hardship because they can not be litigated. Mr. Baer also stated the combined yard setback of 10 feet opposed to 12 feet is needed for the interior privacy inside the home that leads to public safety and welfare and added the combined yard setback can be granted without any deficit to borough ordinances. Mr. Baer further stated he would like to get the applicants back into their home adding they are long time residents and plan on staying in the Borough of Lakehurst.

Board Chairman David Burton questioned the pavement of driveway and the timing of the pavement.

Mr. Pfeffer suggested if the board approves everything, a temporary CO can be issued for a period of time and added a final CO will be issued when driveway is paved.

Mayor Robbins asked if there is a time limit for a temporary CO.

Mr. Pfeffer responded it is at the board's discretion.

Board Engineer Pamela Hilla asked if there is an existing driveway apron and sidewalk.

Mr. Baer responded there is an existing sidewalk, there is no existing apron.

Ms. Hilla asked if an apron is being constructed.

Mr. Baer responded if a driveway is constructed, then an apron must be constructed as well.

Ms. Hilla asked if the applicant is seeking relief from constructing an apron.

Mr. Baer responded to avoided damage to the apron during construction, the applicant is looking to construct the apron along with the driveway after construction.

Mr. Burton questioned the depressed 20-foot curb on the plans.

Mr. Baer answered the applicant is proposing the depressed 20-foot curb.

Councilman Oglesby questioned the drywell and any protentional tripping hazard.

Mr. Baer responded the drywell is buried in the backyard and added the roof leader is connected by pipe.

Board Member Maranda Salas asked how long the project will take to be completed.

