

WEST LONG BRANCH ZONING BOARD OF ADJUSTMENT  
COUNTY OF MONMOUTH - STATE OF NEW JERSEY

-----  
REGULAR MEETING FOR:  
THURSDAY, APRIL 25, 2019  
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TRANSCRIPT OF  
PROCEEDINGS

BEFORE:

ROBERT VENEZIA  
MICHAEL SCHULZ  
PAMELA HUGHES  
PAUL SANTORELLI  
SCOTT LAMARCA  
PAUL GIGLIO  
AUGUST STOHL  
GREGG MALFA

ALSO PRESENT:

MICHAEL A. IRENE, JR., ESQ., Board Attorney  
BONNIE HEARD, P.E., Board Engineer  
CHRIS ANN DEGENARO, Recording Secretary

LISA NORMAN, CCR  
15 Girard Avenue  
West Long Branch, New Jersey 07764  
732-229-5897

1     A P P E A R A N C E S :

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## 1    E X H I B I T S

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3    EXHIBIT NO.                      DESCRIPTION                      PAGE NO.

4

5    Exhibit A-1                      Cannan residence                      8  
6                                      plan by Michael Savarese, of  
7                                      Michael Savarese Associates  
8                                      consisting of three sheets  
9                                      August 15, 2018

8

9    Exhibit A-2                      Plan by Michael Savarese                      10  
10                                      three sheets 6/5/18

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12    Exhibit A-3                      Arial Photographs                      11

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15    Exhibit A-4                      Set of six photographs                      11

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## 1    E X H I B I T S

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3    EXHIBIT NO.	DESCRIPTION	PAGE NO.
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4    Exhibit A-1	Severio Pool Variance Plan	48
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1 MR. VENEZIA: Roll call, please?

2 MS. DEGENARO: Robert Venezia?

3 MR. VENEZIA: Here.

4 MS. DEGENARO: Michael Schulz?

5 MR. SCHULZ: Here.

6 MS. DEGENARO: Pamela Hughes?

7 MS. HUGHES: Here.

8 MS. DEGENARO: Paul Santorelli?

9 MR. SANTORELLI: Here.

10 MS. DEGENARO: Scott LaMarca?

11 MR. LAMARCA: Here.

12 MS. DEGENARO: Paul Giglio?

13 MR. GIGLIO: Here.

14 MS. DEGENARO: August Stohl?

15 AUGUST STOHL: Here.

16 MS. DEGENARO: Gregg Malfa?

17 MR. MALFA: Here.

18 MR. VENEZIA: Have the requirements of

19 the Open Public Meeting Law been met? This is

20 the April 25th 2019 regular meeting of the West

21 Long Branch Zoning Board of Adjustment.

22 (Mr. Venezia reads the Open Public

23 Meeting Act.)

24 Pledge of Allegiance.

25 MR. VENEZIA: Can -- hold off on the

1 Minutes of last meeting?

2 MS. DEGENARO: Yes.

3 MR. VENEZIA: Items of business tonight  
4 are two variances and two Resolutions. The  
5 first variance up tonight will be the Cannan  
6 residence 19 Chestnut Place.

7 MR. MALFA: Before you begin, can I  
8 recuse myself?

9 MR. IRENE: Sure. Are you within 200  
10 feet or do you know the Applicants?

11 MR. MALFA: Yes.

12 MR. IRENE: Both? You are within 200  
13 feet and --

14 MR. MALFA: I know them.

15 MR. IRENE: You are going to step down  
16 and head on out the back. We have seven. Does  
17 anyone have any issues with regard to the Notice  
18 materials on the Cannan matter? Let the record  
19 reflect no response. The Board has jurisdiction  
20 to hear and consider the matter. Are you Ms.  
21 Cannan? Would you give us your full name, spell  
22 your last and your address for the record,  
23 please?

24 MS. CANNON: Stacy Cannan, C-A-N-N-A-N,  
25 19 Chestnut Place.

1           MR. IRENE: Before we do that, we had  
2           the Cannan residence plan submitted by Michael  
3           Savarese, of Michael Savarese Associates  
4           consisting of three sheets dated August 15,  
5           2018, and that was submitted with the  
6           application. And, Chris Ann, we are going to  
7           mark that Exhibit A-1, please? Okay. Ms.  
8           Cannan?

9           MS. CANNAN: Okay. We are looking to  
10          expand a home. I've been in my house for almost  
11          20 years. I choose to remain in West Long  
12          Branch. I have a son in the school system. We  
13          are now a blended family and it's only a  
14          two-bedroom home so we need additional space.

15          MR. VENEZIA: Is there any additional  
16          items that you are going to be asking for  
17          besides the additional space?

18          MS. CANNAN: No, just adding.

19          MS. HEARD: I don't think they  
20          understood the question.

21          MR. IRENE: Mr. Savarese is here. He is  
22          going to be testifying, I assume, in a moment.  
23          Why don't we just hold Ms. Cannan and we will  
24          bring up Mr. Savarese and give us the  
25          professional overview. And, of course, the



1 Board and any interested parties will be able to  
2 ask questions or give comments. We will ask Mr.  
3 Savarese to give his full name, his address and  
4 we will get his professional credentials.

5 MR. SAVARESE: My name is Michael  
6 Savarese. I'm with Michael Savarese Architects.  
7 We are at 34 Sycamore Avenue, Little Silver, New  
8 Jersey. We've been at that address for the last  
9 four years. We've been in Long Branch. I've  
10 been in business since 1995.

11 (Michael Savarese, sworn.)

12 MR. IRENE: You are a Registered  
13 Architect?

14 MR. SAVARESE: State of New Jersey,  
15 State of New York, Washington, Florida.

16 MR. IRENE: How long in New Jersey?

17 MR. SAVARESE: My son is 33. Thirty-two  
18 years.

19 MR. IRENE: You've testified before this  
20 Board?

21 MR. SAVARESE: I've testified before  
22 this Board, yes. I also sit on the Oceanport  
23 Boards.

24 MR. IRENE: I assume the Board will  
25 accept Mr. Savarese's credentials.

1 MR. VENEZIA: I have no problem.

2 MR. GIGLIO: I will second that. This  
3 is existing, so it's a little clearer. The one  
4 you have already is the proposed.

5 MR. IRENE: So what is being passed out  
6 is different than what we marked A-1; is that  
7 right?

8 MR. SAVARESE: It clearly shows the  
9 existing house.

10 MR. IRENE: We are showing now what was  
11 marked A-2, prepared by Mr. Savarese. How many  
12 pages on that one, Mr. Savarese?

13 MR. SAVARESE: I believe there is three.

14 MR. IRENE: Three sheets. And what is  
15 our date on that?

16 MR. SAVARESE: 6/5/18.

17 MR. IRENE: That is going to be Exhibit  
18 A-2, Chris Ann.

19 MR. SAVARESE: The next one is near and  
20 dear to your heart, aerial photo.

21 MS. HEARD: Oh, beautiful.

22 MR. IRENE: All right. Mr. Savarese is  
23 handing up an aerial photograph. Is that Google  
24 Earth or Google Maps?

25 MS. HEARD: Google.

1 MR. SAVARESE: Google.

2 MR. IRENE: Is there a date on that?

3 MS. HEARD: It says 2019 digital  
4 imagery.

5 MR. IRENE: Digital imagery. That is  
6 going to be A-3, please?

7 MR. SAVARESE: The last one, photographs  
8 of the subject property, six of each, so I may  
9 have to share them.

10 MR. IRENE: A-4 is a set of six photos.

11 MS. HEARD: Three.

12 MR. IRENE: Three. Three photos of the  
13 property. Did you take those, Mr. Savarese?

14 MR. SAVARESE: Yes, a long time ago.

15 MR. IRENE: A long time ago?

16 MR. SAVARESE: About a year-and-a-half  
17 ago, yes.

18 MR. IRENE: You've been out to the  
19 property since then?

20 MR. SAVARESE: Yes, a couple of times.

21 MR. IRENE: Do those photos continue to  
22 fairly and accurately depict the property as it  
23 sits today?

24 MR. SAVARESE: To the best of my  
25 knowledge, yes.

1           MR. IRENE: That is A-4, please? Three  
2 photographs collectively as A-4.

3           MR. SAVARESE: So, to get started. I go  
4 through the zoning first. The subject property  
5 is an R5 property. It's a requirement of 10,000  
6 square foot lot area.

7           MR. IRENE: R10.

8           MR. SAVARESE: I'm sorry, R10. R5 is  
9 the zoning. The lot area is required to be  
10 10,000. This lot is 6,170. The lot width is  
11 required to be a hundred, this lot has 50 feet.  
12 The lot depth is supposed to be a hundred feet  
13 and this has 118 on one side and 128 on the  
14 other side. Front yard is supposed to be 35  
15 feet, existing at 28.81 feet.

16           The side yards are supposed to be 10  
17 feet. Right now, they are at 8.53 and 4.88.  
18 There is no change to that. Both sides are  
19 supposed to be 30 and the building height is  
20 supposed to be 35. It's at 28.65 and it will be  
21 29.21. The lot coverage for building is allowed  
22 to be 30. It's 18.2 now. It will be 28.5.  
23 That is about 1,762 square feet. Impervious  
24 allowed to be 40 percent and we are going right  
25 up to 40 percent, 3,101 square feet.

1           So the only variances in this  
2           application are all existing variances.  
3           Everything else is as of right to the setback,  
4           other than on one side, on the east side, we are  
5           going over the footprint on the second floor.  
6           On west side we are popping back to the 10-foot  
7           setback.

8           The existing house as an expanded cape,  
9           if you will. You walk in the front door, there  
10          is a foyer, living room, eating area, kitchen in  
11          the back and a bathroom and a sun porch. In the  
12          second floor you go up the stairs in the back.  
13          There is a bedroom, master bedroom and master  
14          bathroom.

15          The house, as it is from the street, has  
16          a Georgian entry on the saltbox cape. It has a  
17          shed roof on the back and a side shed roof on  
18          the front, on the east side, I should say. I  
19          could show you the pictures. That is the front  
20          elevation which shows the covered entry and the  
21          saltbox cape addition. That is the back of the  
22          house which shows the existing deck and that  
23          wall will be in filling and popping out a little  
24          more to the back.

25                 MR. IRENE: Referring to the photos

1 previously marked A-4.

2 MR. SAVARESE: So what we tried to do is  
3 take a minimal footprint as possible and give  
4 the Cannan house that is usable for a family of  
5 four people in it. So what we did is enlarge  
6 the kitchen, gave them a nice-sized great room  
7 on the first floor and a little nicer mud room.  
8 What that amounts to, we are adding 540 feet on  
9 the first floor. On the second floor, we have  
10 the master bedroom, a real laundry. Her laundry  
11 was kind of squat on the original plan. A Nice  
12 master bedroom. Left the existing bathroom for  
13 the two bedrooms up front. There is no addition  
14 to the front of this property. It's all to the  
15 rear, so it can't be seen from the street.

16 MS. HUGHES: I have a question.

17 MR. SAVARESE: Sure.

18 MS. HUGHES: Can you review the  
19 impervious surface numbers?

20 MR. SAVARESE: Sure.

21 MS. HUGHES: There seems to be something  
22 different on the plan.

23 MR. IRENE: Yeah, the Zoning Officer's  
24 review form also showed proposed at 48.3.

25 MS. HEARD: The plans that I had have

1           50.2.

2                   MS. HUGHES: That's what I have.

3                   MR. IRENE: Hold on.

4                   MR. IRENE: Yes, correct.

5                   MR. SAVARESE: I'm sorry. I read that  
6 wrong. The requirement is 40 percent. The  
7 existing is 38.8 percent and the proposed is  
8 50.2 percent. I read it too quickly. As you  
9 could see from that, this is the existing house  
10 and that is the addition of the house and that  
11 is the wood deck that is on the back of the  
12 house.

13                   MS. HUGHES: So the square to the left  
14 that is clear -- well, I guess that is all deck  
15 around.

16                   MR. SAVARESE: In the back?

17                   MS. HUGHES: Yeah. The line section  
18 showing the new addition and the area around is  
19 a wrap-around deck.

20                   MR. SAVARESE: Wrap-around deck. You  
21 have that backyard by the kitchen to the deck  
22 and the mudroom.

23                   MS. HUGHES: And this mudroom seems to  
24 be expanding over into the asphalt driveway.

25                   MR. SAVARESE: No, it's actually the

1 steps to the covered porch that is expanding  
2 into that small driveway, if you could see it.

3 MS. HUGHES: So that makes that driveway  
4 now very --

5 MR. SAVARESE: It makes the driveway  
6 tight. They don't park the cars in the garage  
7 now. Per your Ordinance, they can park two cars  
8 on the right-of-way.

9 MR. IRENE: Detached garage in the back?

10 MR. SAVARESE: Yes.

11 MR. IRENE: So how do you get there?

12 MR. SAVARESE: They use it for storage.

13 I mean, we can clip off these extra steps, if  
14 that is a problem. This is more convenient for  
15 packages for them to park their car here and  
16 walk to the steps.

17 MS. HUGHES: I am looking ahead. I  
18 don't know if anyone else wants to start in a  
19 different spot. I am looking at how to get this  
20 impervious down from 50 percent because that is  
21 10 full percent over what's allowed in this  
22 zone. So, you know, what I am looking to do  
23 here is, I mean, it looks like you did, you  
24 know, you created a beautiful home, but I think  
25 it exceeds a little bit too much.



1                   MR. SAVARESE: Realize part of that  
2                   impervious is 280 square foot of deck, which is  
3                   actually pervious because water goes through the  
4                   deck.

5                   MS. HUGHES: Yeah, it's not the way we  
6                   look at it in the Town.

7                   MR. SAVARESE: I understand. In  
8                   reality, the deck is not impervious.

9                   MR. IRENE: It's not whether or not the  
10                  water can percolate it. It's also the  
11                  aesthetics. You can have slatted decks that  
12                  let's water percolate, but would you want  
13                  somebody to deck deck their whole property?

14                  MR. SAVARESE: No. Our deck is not huge  
15                  by any of the imagination. This deck is, as far  
16                  as the living portion of this deck is 22-by-12  
17                  at its deepest point.

18                  MR. IRENE: Is that over existing  
19                  coverage? It looks like there is little dots  
20                  that looks like it's part of asphalt driveway  
21                  under there or is that a walkway around it?

22                  MR. SAVARESE: This section of it is  
23                  over old coverage that they have now. Their  
24                  existing deck is right here. You could see it  
25                  here, these dotted lines. This part of the

1 house is over the old deck, so if you look at  
2 coverage-to-coverage, the only new coverage is  
3 this section here. This is new in the back.  
4 What you can look at, if you would like, is this  
5 section of the deck here, I think, could be just  
6 have a step stone out of the door and eliminate  
7 this section of the deck back here as a walkway.  
8 That is one option. The deck is low to the  
9 ground. It's not an obtrusive deck.

10 MR. VENEZIA: How much would that bring  
11 back?

12 MR. SAVARESE: That would bring back  
13 about 13-by-4, so 60 square feet.

14 MS. HEARD: Fifty-two square feet? That  
15 is point eight percent.

16 MS. HUGHES: I have another question  
17 now. I mean, I am assuming the entire asphalt  
18 driveway is calculated into the impervious  
19 surface.

20 MR. SAVARESE: Yes, it is.

21 MS. HUGHES: I don't agree with cutting  
22 off access to that garage, because this is a  
23 property that will go forward into the future.  
24 I kind of feel if you have a garage, you should  
25 have proper egress to that garage. But if you

1           are not using the garage for a car, you can rip  
2           up all of that asphalt and you can plant grass  
3           there. I mean, that is one way to get up.

4           MR. SAVARESE: That is an option.

5           MS. HEARD: Or like a ribbon driveway  
6           that has the.

7           33: The blocks where the grass grows  
8           through.

9           MS. HEARD: The blocks where the tires  
10          go.

11          MR. SAVARESE: I have no problem with  
12          that.

13          MS. HEARD: In the back.

14          MR. SAVARESE: Taking this whole section  
15          out, I have no problem with that.

16          MS. HUGHES: This is a big plan and it's  
17          a pretty high number. How do the rest of you  
18          feel here?

19          MR. SANTORELLI: I agree.

20          MS. HUGHES: Is it something you want to  
21          talk about and come back at the next meeting or  
22          is this something you want us to help you  
23          calculate today?

24          MR. SAVARESE: I think I would rather.  
25          If the Board is willing to approve this

1 application with modification, I think they  
2 would rather go down that path.

3 MS. HUGHES: Okay. Let's investigate  
4 ways to get this number down.

5 MR. VENEZIA: What is the number? Is it  
6 a total elimination or if it's a two tire path  
7 to the back, like taking out probably 60 percent  
8 of it.

9 MR. SAVARESE: We could take out a good  
10 400 square feet of that.

11 MR. VENEZIA: Excuse me?

12 MR. SAVARESE: Four hundred square feet  
13 of this area can be taken out.

14 MS. HEARD: That is like 6.48.

15 MR. GIGLIO: That is a good chunk.

16 MR. VENEZIA: That is taking it out  
17 completely.

18 MS. HEARD: Now you are at 43-ish. That  
19 is taking it out.

20 MR. VENEZIA: Taking that out, it would  
21 be pretty much a shed.

22 MS. HEARD: Shed.

23 MR. SAVARESE: The steps can stay so you  
24 can drop the packages off.

25 MR. VENEZIA: In my mind, I thought the

1 front porch was also going to be pushed out. Is  
2 there any addition onto the front porch?

3 MR. IRENE: It's either going to be  
4 pushed out or covered, because the proposal --

5 MS. CANNAN: It's going to be enclosed.

6 MR. VENEZIA: So you are going to make  
7 it bigger or under the same footprint, same  
8 size?

9 MS. CANNAN: Pretty much the same size.

10 MR. SAVARESE: The section of it is  
11 being and pushing it in for the steps going in.  
12 So the steps will be closer to the street.

13 MR. VENEZIA: Is that going to take out  
14 more calculated into coverage?

15 MR. SAVARESE: It's already in there.

16 MR. VENEZIA: And the footage that it  
17 will be out more than it exists now?

18 MR. SAVARESE: It's four feet for the  
19 platform, but the covered section stays the way  
20 it is. Existing. It's a platform the way.

21 MR. VENEZIA: My concern was you were  
22 going to knock off the alignment of the street,  
23 but actually, you are behind it a little bit.

24 MR. SAVARESE: We are.

25 MR. VENEZIA: Just how the street is cut

1 off.

2 MS. HEARD: The landing is coming closer  
3 to the street.

4 MR. VENEZIA: You are pretty much with  
5 the extra four feet will be in line with your  
6 other two neighbors.

7 MR. SAVARESE: It's not coverage. It  
8 was the landing. One thing I want to know  
9 everybody, as far as this neighbor, if you look  
10 the aerial, if you start from the right side,  
11 our subject house is the second house in, the  
12 one to the right of it is actually about double  
13 the size, the one to the left of it is double  
14 the size, the one to the left of that is about a  
15 third more and then the one across the street  
16 our driveway is about double the size. So this  
17 house will be more in fitting with the  
18 neighborhood, with the addition in the back.

19 MR. IRENE: So, could you give us the  
20 total square footage of the dwelling now,  
21 please?

22 MR. SAVARESE: Sure. So the existing  
23 house on the first floor is 880 square feet.  
24 The new addition is 540 square feet. The total  
25 first floor is 1,427. The addition on the

1 second floor is 512 square feet, a little less  
2 than the 540 and plus the original 880.

3 MR. SCHULZ: Can you hold that thought  
4 there?

5 MR. SAVARESE: Sure.

6 MR. SCHULZ: On these prints, I don't  
7 see a second floor. The house existing is 880  
8 and the new is 540. The existing is 880.

9 MR. SAVARESE: Second floor is about  
10 14-and-change.

11 MR. IRENE: Let's start again, because I  
12 have no idea what the numbers are. So let's  
13 start again. What is the existing square  
14 footage of the existing dwelling, please?

15 MR. SAVARESE: The existing house on the  
16 first floor is 880 square feet. The addition on  
17 the first floor is 540 square feet. The total  
18 first floor today, as we are proposing it, is 1,  
19 427 square feet.

20 MR. IRENE: Second floor.

21 MR. SAVARESE: The second floor addition  
22 is 512 square feet.

23 MR. IRENE: Is there any existing house?

24 MR. SAVARESE: Yeah, the existing house  
25 on the second floor 572 square feet.

1 MR. IRENE: And we are adding?

2 MR. SAVARESE: We are adding 512 square  
3 feet.

4 MR. IRENE: For a total?

5 MR. SAVARESE: Of 1,084 square feet.

6 MR. IRENE: Okay. If we added the  
7 existing first and second floor 1,452; is that  
8 right?

9 MR. SAVARESE: No, 1,427 plus 1,000 --

10 MR. SANTORELLI: He is asking for the  
11 existing house now.

12 MR. SAVARESE: Total existing. I'm  
13 sorry.

14 MR. IRENE: 1452.

15 MR. SAVARESE: Yes.

16 MR. IRENE: Total proposed after  
17 expansion, both floors. 1,611.

18 MR. SAVARESE: No.

19 MR. IRENE: No? That is not right.

20 MS. HUGHES: 1052.

21 MR. IRENE 2,511?

22 MR. SAVARESE: Yes.

23 MR. IRENE: So the existing dwelling  
24 consists total proposed is expanded would be  
25 2,511.



1           MR. SAVARESE: Which makes sense with  
2           the numbers because you have 540 and 512, about  
3           1,000-square foot addition.

4           MR. IRENE: With regard to the existing  
5           deviations, you are not proposing to alter any  
6           of the existing deviations except the side yard  
7           setback 8.53 is being extended laterally.

8           MR. SAVARESE: Correct.

9           MR. IRENE: So we are extending that  
10          laterally and we are also extending that  
11          vertically.

12          MR. SAVARESE: Laterally, we are  
13          extending it 11 feet.

14          MR. IRENE: To the rear.

15          MR. SAVARESE: To the rear.

16          MR. IRENE: And vertically for the  
17          second floor addition.

18          MR. SAVARESE: Vertically, it's only a  
19          one-story addition at that point. The second  
20          floor addition is back.

21          MR. IRENE: The rear is one story?

22          MR. SAVARESE: Just that one section  
23          where the mudroom is. We tried to keep that  
24          down purposely.

25          MR. IRENE: That's that. The other

1           being exacerbated is the front yard setback  
2           deviation.

3                   MR. SANTORELLI:   That is existing.

4                   MR. IRENE:   You are coming out with the  
5           stairs.

6                   MR. SAVARESE:   Just the stairs, right.

7                   MR. IRENE:   The newly-enclosed stairs,  
8           so we are going from 28.1 to 24.1.   What about  
9           the stairs in front of that?   Are they elevated?  
10          Do we have to count those or we don't because  
11          they are not covered?

12                   MR. SAVARESE:   I believe they are open  
13          and not counted.

14                   MR. IRENE:   So the 24.1 is measured to  
15          the proposed covered front stairs -- porch.  
16          Thank you.   So other than that, the only other  
17          issue is, we also have the vertical exacerbation  
18          of the total side yard setback and then the  
19          issue of the lot coverage whatever that shakes  
20          out to be proposed.   Thank you.

21                   MS. HEARD:   And the pre-existing  
22          non-conforming lot conditions, lot area, lot  
23          width that we're not doing anything with.

24                   MR. IRENE:   All of the surrounding  
25          properties are developed as a result of your

1           aerial that we looked at.

2                   MR. SAVARESE:   Yes.

3                   MR. IRENE:   None of those have any land  
4           to give where the lot area and lot width  
5           deficiencies could be materially mitigated or  
6           eliminated?

7                   MR. SAVARESE:   No.

8                   MR. IRENE:   Thank you.

9                   MR. SAVARESE:   We also reviewed the T&M  
10          letter.  We take no objections to it, other than  
11          the one question about we took care of the  
12          steps.  We are going to leave them in.  And the  
13          downspouts.

14                   MS. HEARD:   Are they going to splash  
15          pads?

16                   MR. SAVARESE:   They are going to splash  
17          pads.

18                   MS. HEARD:   Are there any easements or  
19          restrictions that would impact the construction?

20                   MR. SAVARESE:   No.  I think that is our  
21          presentation.  I understand we are asking for  
22          some coverage, but in the scheme of things, we  
23          are asking for a usable house for a typical  
24          family of four.  I don't think the square  
25          footage of 2,500 is that much to ask for in

1 reality. And since the neighborhood is  
2 approximately that size now, I think it is a  
3 good-looking addition from the rear and it  
4 really can't be seen from the street.

5 MR. IRENE: Where did we leave the  
6 modified proposed lot coverage?

7 MR. SAVARESE: Somewhere about 43  
8 percent.

9 MR. STOHL: 42.9.

10 MS. HEARD: I would round that to 49. I  
11 wouldn't be that specific.

12 MR. STOHL: I'm pretty good with math.

13 MR. IRENE: The existing now is 38.8; is  
14 that right?

15 MR. SAVARESE: Yes.

16 MS. HEARD: Yes.

17 MR. VENEZIA: Ah, 39.

18 MS. HEARD: Well, just in case we made a  
19 little mistake here or there in scaling.

20 MR. STOHL: You might have made a  
21 mistake.

22 MS. HEARD: I know. You are very  
23 specific.

24 MR. VENEZIA: This would eliminate the  
25 driveway going back.

1 MS. HEARD: Yes.

2 MR. VENEZIA: From what point, from the  
3 street?

4 MR. SAVARESE: No, from the steps. It's  
5 nice, we would give them more green space in the  
6 backyard.

7 MS. HUGHES: Didn't that eliminate the  
8 side?

9 MR. SAVARESE: Yes, we are eliminating  
10 this walk here.

11 MR. VENEZIA: So the question to the  
12 Board is, if you see fit to grant the relief,  
13 does the Board care where the coverage comes  
14 from as long as they achieve the modified amount  
15 of 43 percent?

16 MR. SANTORELLI: No.

17 MR. VENEZIA: I have no problem with  
18 that.

19 MR. IRENE: That's what I just want to  
20 know.

21 MR. SAVARESE: You could take it from  
22 the deck a little more and tweak it.

23 MR. IRENE: Right. You may want to move  
24 some here and some there. If it's the coverage  
25 number you are concerned about.

1                   MR. SANTORELLI: I think I am okay with  
2                   that.

3                   MS. HUGHES: Wait. Wait. One of the  
4                   points was the walkway on the side, you are  
5                   further exasperating the setback.

6                   MR. SANTORELLI: Because you are 4.88 on  
7                   that right side.

8                   MR. IRENE: That is on the ground.

9                   MR. SAVARESE: Those steps don't count.

10                  MR. SANTORELLI: No, she is talking  
11                  about the walkway. How high was that deck? How  
12                  high is that off.

13                  MR. SAVARESE: Eighteen inches.

14                  MR. IRENE: Are we talking about  
15                  adjacent to the 4.88 setback mark?

16                  MS. HUGHES: Yes.

17                  MR. SANTORELLI: Where he put the red  
18                  stroke.

19                  MR. IRENE: There is nothing there. Am  
20                  I looking at the wrong plan?

21                  MR. SANTORELLI: It is proposed. The  
22                  proposed walk to the deck.

23                  MR. SAVARESE: You could see it right  
24                  here on the proposed elevation.

25                  MR. IRENE: On the east side?

1                   MR. SAVARESE: They are on the west side  
2                   now.

3                   MS. HUGHES: Oh, no. I am on the east  
4                   side.

5                   MR. SAVARESE: On the east side, there  
6                   is nothing there.

7                   MR. IRENE: That is an existing what  
8                   looks like a flagstone.

9                   MS. HUGHES: Isn't that a deck?

10                  MR. SANTORELLI: I thought this was a  
11                  piece of the deck here, Mike.

12                  MR. IRENE: That is not on the plot plan  
13                  on the first page.

14                  MR. SAVARESE: That is the existing deck  
15                  that you could see.

16                  MS. HEARD: It's there. It's not  
17                  shaded. That is the problem.

18                  MS. HUGHES: Do you see it, Mike?

19                  MR. IRENE: It's not on the plot plan on  
20                  the first page.

21                  MR. IRENE: What sheet is that?

22                  MS. HUGHES: SD 31.

23                  MR. SAVARESE: It's on there with the  
24                  dotted line.

25                  MR. LAMARCA: Proposed deck.

1                   MR. IRENE: Oh, I thought that was a  
2 setback line. Does the Board want, as part of  
3 the reduction, do you want that to go away so it  
4 conforms?

5                   MS. HUGHES: Well, I think that that  
6 helps, because you are not exasperating that  
7 setback.

8                   MR. IRENE: Otherwise, you would be  
9 exacerbating.

10                  MR. SANTORELLI: That way, you are  
11 getting your 10 feet without that walk there.

12                  MS. HEARD: Yeah, but the back part of  
13 the deck would only have the setback of 4.88.

14                  MR. IRENE: Why?

15                  MS. HEARD: Because that's beyond the  
16 red part.

17                  MR. IRENE: Unless you run it all the  
18 way back.

19                  MR. SAVARSE: Unless we run it all the  
20 way back and shift the deck a little bit.

21                  MS. HUGHES: Oh, that's what I was  
22 thinking, that that whole piece would come out.

23                  MR. SAVARESE: It shows it on the  
24 elevation.

25                  MR. IRENE: At some point, if the Board



1       sees fit to grant the relief, you will have to  
2       decide if you want to include that piece being  
3       removed as part of the reduction in the proposed  
4       coverage or not or you can simply say you don't  
5       want them to exacerbate the 4.88 side yard  
6       setback.

7               MR. SANTORELLI: I prefer that. But  
8       like I said, if he does shift the deck, as long  
9       as we have that 43 percent, I think I would be  
10      satisfied with 43 percent lot coverage. If the  
11      deck shifts over, it's not exacerbate the 4.88  
12      setback, if you get the 10-foot.

13             MS. HEARD: In other words, what you are  
14      saying is, any deck or any addition has to  
15      conform to the minimum 10-foot setback.

16             MR. SANTORELLI: On that right-hand  
17      side.

18             MS. HUGHES: Yeah.

19             MR. VENEZIA: Do you understand that?

20             MS. CANNAN: Yes.

21             MR. VENEZIA: Would you be in agreement  
22      with that?

23             MS. CANNAN: Yes, uh-huh.

24             MR. SANTORELLI: You can shift it to  
25      your left. As long as we have the 43, you are

1 not going to lose the full width on the deck.  
2 It will just shift over.

3 MR. VENEZIA: Will we remain with the 43  
4 percent and then they can do adjustments with  
5 that?

6 MR. SANTORELLI: They can adjust the  
7 deck, so we can fit into that 43 percent.

8 MR. SAVARESE: In a sense, we are losing  
9 lounge space here, but we can push it back a  
10 little.

11 MR. SANTORELLI: Yeah, you can adjust  
12 it.

13 MR. SAVARESE: That is fine. It works.

14 MS. HUGHES: We would still remain at  
15 that 43 number.

16 MR. SAVARESE: Yes.

17 MR. SANTORELLI: Yes, just rearrange.

18 MR. VENEZIA: The setback would be  
19 maintained.

20 MR. IRENE: On the east side, all right?

21 MS. HUGHES: On the east side.

22 MR. VENEZIA: Is there anyone in the  
23 audience that would like to say anything on  
24 this? Ask any questions? Comments?

25 MR. IRENE: This is 19 Chestnut. There

1 is a fair amount of people sitting here. Is  
2 there any questions for Mrs. Cannan or Mr.  
3 Savarese, now is the time to ask him or if  
4 anyone wants to make any comments. Let the  
5 record reflect there is no response. Any  
6 questions from the Board?

7 MR. VENEZIA: I think there is one.

8 MR. SCHULZ: The impervious coverage was  
9 40 and then they went to 50 percent. Help me  
10 with my math, how much is 50 percent more than  
11 40 percent? It's not 10 percent.

12 MR. IRENE: No.

13 MS. HEARD: It's how many square feet.

14 MR. SCHULZ: No, in percentage. Forty  
15 into 50, it's not 10?

16 MR. IRENE: Take 50 and divide it by 40.

17 MR. SAVARESE: It's around 600 square  
18 feet.

19 MR. SCHULZ: Just to help me, is it 10  
20 percent over 40?

21 MS. HEARD: Well, it's 10 percent more.

22 MR. IRENE: Ten points more.

23 MS. HEARD: Twenty-five percent  
24 increase. Round number.

25 MR. SCHULZ: Ten percent. It is a lot

1 more than 10 percent.

2 MS. HEARD: Uh-huh.

3 MR. SCHULZ: One other question, Mr.  
4 Irene, we talked about this before, T&M  
5 recommendation letter, it talks about the owner  
6 should repair all of the sidewalks. And then,  
7 in the Resolutions, it says, the owner must  
8 repair all of the sidewalks.

9 MS. HEARD: Right, because we make the  
10 recommendation to the Board. The Board would be  
11 the one to say yes. I mean, you guys can say,  
12 no, you don't have to do that or usually when,  
13 and that is why Mike's Resolutions would be in  
14 the affirmative where mine would be more making  
15 a recommendation.

16 MR. IRENE: We do two things in the  
17 Resolution, one, generally, unless something  
18 else is going on in particular application, one  
19 generally says, if applicant is going to comply  
20 with any and all requirements and  
21 recommendations in the Board Engineer's report  
22 which is one. And then I generally call out  
23 separately out of an abundance of caution that  
24 language that the Applicant is going to repair  
25 or replace the sidewalk and curb that is damaged

1           either that is damaged or that is damaged as  
2           part of the construction to the satisfaction of  
3           the Borough Engineer, so it's covered.

4                   MR. SCHULZ: I just wish the owner would  
5           know about, must repair, prior to the final  
6           Resolution. They have down for sidewalks  
7           \$5,000. The final Resolution, it says, they  
8           must repair it. They can say, well, during this  
9           hearing --

10                   MR. IRENE: It's in the report, number  
11           one. They've got the report. Number two, if  
12           the Board denies the relief, it doesn't matter.  
13           Subject to property maintenance codes, there is  
14           no book to require the applicant to fix their  
15           sidewalk. If the Board grants the relief, those  
16           conditions will be there and any other  
17           conditions that the Board imposes as result of  
18           the approvals granted, such as, changing the  
19           plans to show the lot coverage reduced to no  
20           more than 43 percent, such as changing the plans  
21           to show that any expansion of the dwelling on  
22           the east side or dwelling or improvements on the  
23           east side will conform to the 10-foot required  
24           setback. So those things would all be  
25           incorporated as conditions as a result of any

1 approval that the Board grants. If the Board  
2 denies it, there are no conditions. Follow me?

3 MR. SCHULZ: Okay.

4 MR. IRENE: Okay.

5 MR. SCHULZ: Okay.

6 MS. HUGHES: Okay. So I would just like  
7 to say one other thing. You are building this  
8 awesome house for your family.

9 MS. CANNAN: Uh-huh.

10 MS. HUGHES: Be aware that if you want  
11 to come back and ask for a pool.

12 MR. VENEZIA: Or a playground.

13 MS. CANNAN: That is not happening.

14 MS. HUGHES: I would just say, think.  
15 You might want to modify.

16 MS. CANNAN: We're not putting a pool  
17 in.

18 MR. IRENE: One of these issues with the  
19 lot coverage situations, particularly when  
20 people start removing a driveway that leads to a  
21 garage and some of these folks know about it. I  
22 got this garage, let me pave it. I'm going to  
23 assume anybody doing paving in town, they need  
24 permits.

25 MS. HEARD: Technically, yes. That

1           doesn't always happen.

2                   MR. IRENE:   Right.   We can't enforce  
3           what people do when they don't do what they are  
4           supposed to do.   Assuming permits are required  
5           and presumably before they get that permit, it  
6           would go through zoning compliance and the  
7           Zoning Officer would knock it down because it  
8           would be over on coverage.   It just creates  
9           problems because when you look at a garage, and  
10          say, well, I can pave my driveway and run it to  
11          the garage.   These kind of things create issues.

12                   MS. HUGHES:   That would be a problem  
13          when they sold the house, because we would look  
14          at the -- maybe not.

15                   MR. SAVARESE:   They could change the  
16          front to ribbons.   They could use pervious  
17          pavers in the back.

18                   MS. HEARD:   Pervious pavers still count  
19          as coverage.

20                   MR. SANTORELLI:   The stairs in the way,  
21          too, that make it difficult.

22                   MS. HUGHES:   I hear what you are saying.

23                   MR. IRENE:   One of the issues with the  
24          coverage, to, quite frankly, the lot is only 60  
25          percent of the required lot coverage.   So to try

1 to get a reasonably sized home on the property.

2 MR. SAVARESE: If the lot were the  
3 correct size, obviously, we wouldn't be here.

4 MS. HUGHES: I agree. At 2,500 square  
5 feet is not, you know, 4,000 square feet, yeah.

6 MS. CANNAN: Right.

7 MR. IRENE: To some degree, the hardship  
8 that results results from the existing size of  
9 the lot.

10 MR. SAVARESE: Correct.

11 MR. IRENE: By modern standards, you  
12 know, modern dwellings. Unless there is any  
13 more questions from the Board, is there anything  
14 else from the Applicant?

15 MR. SAVARESE: I think that is it. I  
16 think we put forward a pleasing design that  
17 would have these people in the house for many  
18 years to come. I think it is in fitting with  
19 the neighborhood. It was the right thing to do  
20 as far as they were concerned.

21 MR. VENEZIA: Mrs. Heard, any more  
22 comments from you?

23 MS. HEARD: Nope.

24 MR. IRENE: Open to the public.

25 MR. VENEZIA: Open back to the public,



1 if anyone else has any questions on it.

2 MR. IRENE: Last call? Any questions or  
3 comments? Let the record reflect none.

4 MR. VENEZIA: From the Board, do we have  
5 any motion?

6 MS. HUGHES: I would make a motion to  
7 accept the application with the, with the, what  
8 is the word?

9 MR. IRENE: Subject to the conditions.

10 MS. HUGHES: Subject to the conditions  
11 that we've agreed upon which is 43 percent lot  
12 coverage maintaining the 4. -- remaining the  
13 10-foot side setback on the east side.

14 MR. IRENE: And subject to the Applicant  
15 complying with any requirements, any and all  
16 requirements or recommendations set forth in the  
17 Board Engineer's review letter.

18 MR. STOHL: I will second that.

19 MS. DEGENARO: Robert Venezia?

20 MR. VENEZIA: Yes.

21 MS. DEGENARO: Michael Schulz?

22 MR. SCHULZ: Yes.

23 MS. DEGENARO: Pamela Hughes?

24 MS. HUGHES: Yes.

25 MS. DEGENARO: Paul Santorelli?

1 MR. SANTORELLI: Yes.

2 MS. DEGENARO: Scott LaMarca?

3 MR. LAMARCA: Yes.

4 MS. DEGENARO: Paul Giglio?

5 MR. GIGLIO: Yes.

6 MS. DEGENARO: August Stohl?

7 MR. STOHL: Yes.

8 MR. IRENE: It carries. Thank you.

9 Anything that is what marked, I think we have  
10 the exhibits, if there is anything floating  
11 around, please leave it with Chris Ann. I think  
12 we have them all. Thank you.

13 MR. VENEZIA: Next on the agenda is a  
14 variance for 74 Summers Avenue.

15 MR. IRENE: Let the record reflect that  
16 Mr. Schulz is recusing himself on this matter  
17 and Mr. Malfa has rejoined the Board. We are  
18 back to seven. This is the Dos Santos matter 74  
19 Summers Avenue. The Notice materials were in  
20 the file. They appear to be in order. Does  
21 anybody have any questions or problems with  
22 regard to the Notice materials on Dos Santos?  
23 Not the merits of the application. Any problems  
24 with the Notice? Let the record reflect no  
25 response.

1 (Bonnie Heard, P.E., sworn.)

2 MR. IRENE: Sir, you are Mr. Dos Santos?

3 THE WITNESS: No, I am the husband.

4 MR. IRENE: You are the husband. Could  
5 you give us your full name and spell your last  
6 and your address for the record, please?

7 THE WITNESS: Julio Caesar Severio, 74  
8 Summers Avenue.

9 MR. IRENE: I'm sorry, sir. Your last  
10 name, please? S-E-V-E-R-I-O?

11 THE WITNESS: Yeah.

12 MR. IRENE: 74 Summers.

13 (Julio Severio, sworn.)

14 MR. IRENE: Okay. So the application, I  
15 think, was in the name of Celene Dos Santos.

16 MR. SEVERIO: Yes, that is my wife.

17 MR. IRENE: That is your wife. You own  
18 the property together with Ms. Dos Santos?

19 MR. SEVERIO: Yes.

20 MR. IRENE: We had a pool variance plan  
21 prepared by Robert C. Burdick, B-U-R-D-I-C-K,  
22 P.E. and Stanley Hans, H-A-N-S, Jr., PLS  
23 consisting of one sheet dated September 27,  
24 2018. We are going to mark that Exhibit A,  
25 please? Mr. Severio, do you want to tell the

1 Board what the application is all about?

2 MR. SEVERIO: Well, basically, just  
3 trying to put a pool in the backyard for my kids  
4 and the wife.

5 MR. IRENE: Looking at the plan that was  
6 submitted and the application, and you correct  
7 me if I am wrong, but it sounds like you are  
8 seeking relief. There is some existing  
9 deviation with regard to the property itself.  
10 So the lot area is only 15,000 square feet where  
11 the 22,500 is required, correct? The lot width  
12 is 100 feet where 150 feet is required. You  
13 also have an existing total side yard setback  
14 deviation for the house because I guess the  
15 setbacks for the house total 43.1 feet where 50  
16 feet is otherwise required. Those are all  
17 existing conditions. You are not proposing to  
18 change any of those, right?

19 MR. SEVERIO: Well, I don't think we can  
20 change any of those.

21 MR. IRENE: Right. That's what I am  
22 saying. This application has nothing to do with  
23 those pre-existing conditions.

24 MR. SEVERIO: No.

25 MR. IRENE: Now, the reason you are here

1           tonight is because the proposed pool is going to  
2           take the existing lot coverage of 42.5 percent  
3           and increase it to 48.8 percent where 30 percent  
4           is the maximum required, is that right, that is  
5           the variance you need for the lot coverage?

6                     MR. SEVERIO:   Yes.

7                     MR. IRENE:    There was also a reference  
8           to a shed setback.

9                     MS. HEARD:    The shed, the existing shed  
10          is non-conforming.  If you look on the west side  
11          of the dwelling by the the garage, I guess,.

12                    MR. IRENE:    Uh-huh.

13                    MS. HEARD:    That shed does not have the  
14          required 10 foot setback that it is supposed to  
15          have.

16                    MR. IRENE:    Okay.  Do we know what the  
17          setback is?

18                    MS. HEARD:    I can scale it off for you.

19                    MR. IRENE:    Or is it simply less than 10  
20          feet?

21                    MR. SANTORELLI:  Five or six feet.

22                    MS. HUGHES:   Not even.

23                    MS. HEARD:    Five-and-a-half.

24                    MR. SEVERIO:   It's supposed to be six,  
25          no?

1                   MR. IRENE:   It's supposed to be 10.

2                   MR. IRENE:   But that setback on the side  
3                   of the house is only --

4                   MS. HEARD:   The house is 20.

5                   MR. IRENE:   Right.   What is the width of  
6                   the shed?   Ten?

7                   MR. SEVERIO:   When she make the plan,  
8                   you know, I made a mistake, because I went a  
9                   little bit too high.   They told me, you know, I  
10                  had to be six feet from my neighbor and right  
11                  now I am like five, five and three, five four.

12                  MS. HEARD:   How high is the shed?

13                  MR. SEVERIO:   Twelve.

14                  MS. HEARD:   It is the height of the  
15                  shed.

16                  MR. IRENE:   Somebody wrote on the plans  
17                  that they thought it was half the height.

18                  MR. SEVERIO:   That's what I thought it  
19                  was.   I submit a plan.   They check the footings  
20                  and everything and everything was fine until the  
21                  final inspection and then I guess when he look  
22                  at the shed -- the driveway, well, the driveway  
23                  when my neighbor put a new driveway in there,  
24                  they asked me his driveway a little bit on my  
25                  side which I said it was fine with me and he did

1           it, but when he looked on the front of the shed  
2           in the driveway, it looks very close, but it's  
3           actually about five-and-a-half feet away from  
4           the property line.

5                   MR. IRENE: Did you get permits for the  
6           shed?

7                   MR. SEVERIO: Yeah.

8                   MR. IRENE: This application isn't  
9           proposing to change the shed. You are not doing  
10          anything with the shed as a result of this.  
11          It's there.

12                   MR. SEVERIO: Oh, the shed is there. I  
13          am just saying, I don't know if it has anything  
14          to do with the pool right now.

15                   MR. IRENE: Right. The shed exists.  
16          You are not proposing to do anything with the  
17          shed. It's there.

18                   MR. SEVERIO: I still got no approval  
19          for the final.

20                   MR. VENEZIA: No. There was a stop  
21          construction notice on there.

22                   MR. IRENE: Okay. That is the problem  
23          with the shed then. You do need relief for the  
24          shed or it does need to be made to conform. How  
25          wide is the shed?

1 MR. SEVERIO: It's 10-by-20.

2 MR. IRENE: It's 10 feet --

3 MR. SEVERIO: Wide by 20 feet long.

4 MR. IRENE: How high was it?

5 MR. SEVERIO: Twelve.

6 MR. IRENE: Okay. Well, you can't get  
7 to 12 feet because it's only 20-foot wide. It's  
8 10 feet wide and there is only 20 feet of space  
9 there.

10 MS. HEARD: Uh-huh.

11 MR. IRENE: How far is it set back from  
12 the house?

13 MR. VENEZIA: It's very close.

14 MS. HUGHES: Yeah, four feet, five feet.

15 MS. HEARD: It's four-and-a-half. That  
16 would make sense because it's 10 feet wide and  
17 5-and-a-half on one side. That was kind of a  
18 dumb thing for me to scale.

19 MR. SANTORELLI: How is this shed? What  
20 is it set on? Is it set on a concrete slab?

21 MR. SEVERIO: Piles.

22 MR. VENEZIA: Are you putting this pool  
23 variance plan into evidence as an exhibit?

24 MS. HEARD: It was marked as A-1.

25 MR. VENEZIA: I do have a question on



1           that. With the existing shed, I recall several  
2           times going passed there and looking at it.  
3           It's closer to the front of house than it is  
4           shown on the plan here.

5                   MR. SEVERIO: It's exactly the way it  
6           is. The driveway on the side of the house, it  
7           actually goes back. It's exactly the way it is  
8           on the plan. The one that you have over there  
9           right now, it's exactly how it is. There is a  
10          driveway on the side of the house. If you stand  
11          on the front of the house on the driveway, it  
12          goes back. The shed sits almost flush to the  
13          back of the house.

14                   MR. VENEZIA: To the back of the house.

15                   MR. SEVERIO: Yeah, to the back of the  
16          house. Not to the front of the house.

17                   MR. VENEZIA: And I have, my  
18          recollection from looking at it, it was closer  
19          to the front.

20                   MR. SEVERIO: To the front, no, you are  
21          wrong. It's close to the back.

22                   MS. HUGHES: My issue is the amount of  
23          impervious surface. Does anybody else have a  
24          concern about that?

25                   MR. VENEZIA: I have a big concern. If

1           there is a built-in pool, right?

2           MR. SEVERIO:   Yes.

3           MR. VENEZIA:   Not above ground.

4           MR. SEVERIO:   Built-in.

5           MR. VENEZIA:   There is always water  
6           coming out of your property.  There has been a  
7           hose there.

8           MR. SEVERIO:   Yes.

9           MR. VENEZIA:   As long as I can remember.

10          MR. SEVERIO:   This year the biggest  
11          problem is this year, but, you know, last year,  
12          you know, every once in a while, I had to do it,  
13          because I have two pumps running and they do  
14          run.  I do have a lot of water there.  When I  
15          built the house, I made a mistake.  I didn't  
16          know.  I went too low.  I should have raised the  
17          house a little bit, but too late now.

18          MR. IRENE:    For sump pumps?

19          MS. HUGHES:   Yeah, I was there and there  
20          was water coming out, yeah.

21          MR. SEVERIO:   It stops when it gets hot  
22          now, it stops, you know, but right now, yes.

23          MR. VENEZIA:   Bonnie, if he put a pool  
24          in there, would it raise the water table in the  
25          neighborhood?  Would the neighbors have

1 problems?

2 MS. HEARD: I don't know what the  
3 groundwater elevations really are.

4 MR. SEVERIO: The pool is not going to  
5 be that deep. I don't have no trampoline or  
6 anything like that. It's only going to be like  
7 five or something. I don't remember exactly.  
8 Right now, my basement is about 12.

9 MR. VENEZIA: Oh, your basement?

10 MR. SEVERIO: It's very deep. I am too  
11 low. I made a mistake. I should have went up,  
12 but it's done is done, so. The pool, I don't  
13 think the pool is going to have that problem,  
14 because we're not going to go that deep.

15 MS. HUGHES: The problem may be, if you  
16 put in the pool, will that change the water flow  
17 and will your neighbors get water?

18 MR. VENEZIA: Yeah, that is my  
19 contention.

20 MS. HUGHES: That is a lot of impervious  
21 surface you are adding. I don't know the  
22 elevation. I did walk your property.

23 MR. SEVERIO: I remember. I remember  
24 seeing you.

25 MS. HUGHES: But it does look like the

1 person in back of you is a little bit lower than  
2 you.

3 MR. SEVERIO: Yes.

4 MS. HUGHES: So that water might then go  
5 into his yard, like because now all of a sudden  
6 this big rectangle is impervious, so water that  
7 ground might have been soaking in is not going  
8 to soak in. It's going to run around. So which  
9 might mean that we would need a drainage plan.

10 MR. IRENE: Well, that is right. When  
11 your engineer, yeah, your engineer Mr. Burdick  
12 laid out the plan, one of two things, did he  
13 explore ways with you of reducing the total  
14 coverage proposed coverage or did he propose  
15 some kind of storm water manage drain plan?  
16 Sometimes what they will do is, they will put in  
17 either a swale along the back or they will put  
18 in --

19 MS. HEARD: Well, they have a shallow  
20 swale, but they don't have anything for storm  
21 water management. They don't have the recharge,  
22 dry wells or anything like that. It's not going  
23 to work because you have to be two feet above  
24 the seasonal high.

25 MR. LAMARCA: Can I just ask a question?

1 Does this supersede anything? Should you kind  
2 of wait to clear this up before you open up  
3 another can of worms?

4 MR. IRENE: The reference is to a stop  
5 construction notice that I guess was in the  
6 file. Is that with regard to the shed? Is that  
7 with regard to the shed the stop work?

8 MR. LAMARCA: The stop work notice for  
9 the shed, like is there an issue with that?

10 MR. IRENE: I assume there is two  
11 things.

12 MR. SEVERIO: Two things that we are  
13 talking about right now, you know, I was under  
14 the impression that I had to be six feet from my  
15 neighbor.

16 MR. LAMARCA: Right.

17 MR. SEVERIO: Which, right now, I am not  
18 quite six, but other than that, the rest is --

19 MR. IRENE: So there is two things,  
20 apparently, he needs a variance.

21 MR. LAMARCA: Okay.

22 MR. IRENE: For the setbacks. I don't  
23 know if that's why he was stopped. If he gets  
24 the variance then the stop goes away. If the  
25 stop had anything to do with construction

1           itself, it's got nothing to do with us. I am  
2           going to assume at the very least it pertained  
3           to the deficient setback, but I don't know.

4                     MS. HUGHES: Isn't that us?

5                     MR. IRENE: Right. That is what I am  
6           saying. If I start to build my garage too close  
7           to the property line and the Zoning Officer  
8           comes out or the construction official comes  
9           out, and says, I am stopping your construction  
10          on that because you are too close to the  
11          property line. I apply to the Board. If I get  
12          a variance, they lift the stop work order,  
13          because that is the only reason they impose it.  
14          If I don't get a variance, I have to move the  
15          garage.

16                    MR. SEVERIO: He only stopped me after  
17          the shed was already done. The forms and  
18          everything, all of the foundation -- not the  
19          foundation, but the piles, everything was there.  
20          He never said anything until the actual shed was  
21          already done. He said to me go ahead and do the  
22          whole thing, put the windows, put roofing, put  
23          everything, don't put the siding. I just want  
24          to check the sheathing. I said, that's fine.  
25          When he came back, I wasn't there. I am

1           assuming he looked at the front of the shed and  
2           his driveway and does look very close, but, like  
3           I said, just because, you know, my neighbor  
4           moved his driveway a little bit and that is why  
5           it looked so close.

6                   MR. VENEZIA:   Who was this person you  
7           are referring to? Was it the code enforcement  
8           officer?

9                   MR. SEVERIO:   The inspector for Long  
10          Branch, you know, that's where I got the permit  
11          from.

12                   MR. SANTORELLI:   You hadn't gotten  
13          permits to start the shed.

14                   MR. SEVERIO:   Oh, yes, I did.

15                   MR. SANTORELLI:   How did you go through  
16          zoning for the placement of the shed?

17                   MR. SEVERIO:   I talked to, um, what is  
18          his name? I forget his name.

19                   MR. IRENE:   Jim?

20                   MR. SEVERIO:   Yeah, Jim Miller. He told  
21          me to go to Long Branch and that's what I did.

22                   MR. IRENE:   Well, Jim is the Zoning  
23          Officer, but I guess Long Branch does the  
24          construction. Shared services. I guess the  
25          question is, did anyone know where it was

1           located? Did someone make a mistake? My  
2           understanding is, and I could be wrong, Bonnie  
3           is going to correct me. You have to be set back  
4           10 feet or the height of the accessory  
5           structure.

6                   MS. HEARD: It's the height of the  
7           structure. It just not say 10-foot minimum.

8                   MR. IRENE: In this case, if it's 12  
9           feet tall, you would have to be set back 10  
10          feet.

11                   MS. HEARD: Twelve. I'm sorry. For  
12          some reason, on the plan, and maybe this was  
13          part of the problem, it looks like your engineer  
14          thought that it was half the height. That's  
15          what he wrote on here which may have been the  
16          reason that it was set back six feet, rather  
17          than 12. He has got required half the height.  
18          Do you see that? He's got, conform. Conform.  
19          It should be the height which is non-conform.  
20          Non-conform.

21                   MR. SEVERIO: The shed was done way  
22          before anything else. He did that. He made  
23          this, you know, after the shed was already  
24          there. I am just saying.

25                   MR. IRENE: I don't know. Where you



1 look at the zoning table there.

2 MR. SEVERIO: Okay.

3 MR. IRENE: He got the shed conforms  
4 because it is set back half the height. That  
5 may be where the error is. I don't know.

6 MR. SEVERIO: I submit the plan for the  
7 shed, you know, I specifically, you know, put it  
8 in exactly where the shed was going to be and  
9 the size. They told me if it was 10-by-10, I  
10 didn't have to have a permit, but because it was  
11 10-by-20 that's why I had to have permit.

12 MS. HEARD: That is the construction  
13 requirement. Not a zoning requirement. If it's  
14 under a hundred square feet, the building  
15 department does not require a permit.

16 MR. IRENE: Okay.

17 MR. SEVERIO: I was going to buy a shed  
18 that was already made 10-by-10, but I decided to  
19 build one because it was too small for me.

20 MR. VENEZIA: Are you the -- did you  
21 build that house?

22 MR. SEVERIO: Yes.

23 MR. VENEZIA: You made mention.

24 THE WITNESS: Yes.

25 MR. VENEZIA: How did that house get

1           approved, first of all? You already were  
2           beyond, you know, the impervious coverage as you  
3           put the house in there. Did you come and get a  
4           variance through us?

5                   MR. SEVERIO: Yes, sir.

6                   MR. VENEZIA: How long ago was that?

7                   MR. SEVERIO: Twelve years ago.

8                   MS. HUGHES: And the driveway was built  
9           with the house?

10                  MR. IRENE: Did we have coverage  
11           limitations 12 years ago?

12                  MS. HEARD: No.

13                  MR. VENEZIA: That satisfies that.

14                  MS. HEARD: There was 2005 or 2007 that  
15           the coverage went in.

16                  MR. IRENE: When did you build the  
17           house?

18                  MR. SEVERIO: Twelve years ago.

19                  MR. VENEZIA: 2007.

20                  MR. SEVERIO: Yeah.

21                  MR. GIGLIO: Probably caught the end of  
22           it.

23                  MR. VENEZIA: That threw me off the bat.  
24           I see this and it's already in violation of the  
25           house. Okay.

1 MS. HEARD: Before the impervious  
2 coverage was in, it was a maximum 30 percent  
3 building coverage. It didn't matter. You could  
4 pave the whole yard.

5 MR. VENEZIA: Okay.

6 MR. IRENE: You remember coming to the  
7 Board for a lot coverage variance?

8 MR. SEVERIO: Yes, I did. When I showed  
9 the first plan, they didn't approve and then  
10 that's why I had to go for a variance.

11 MR. VENEZIA: All right. That solves  
12 that for me. I still have a problem with that  
13 water, though, with the water being pumped out  
14 to the street through your other neighbors. Is  
15 there any questions, any further questions in  
16 here before we go to the public?

17 MS. HUGHES: I mean, I have a comment, I  
18 guess, about this big tree. If anyone walked  
19 the property, that big tree that you have in the  
20 backyard there?

21 THE WITNESS: Uh-huh.

22 MS. HUGHES: That is on your property.

23 MR. SEVERIO: Kind of half way.

24 MS. HUGHES: I think what we need to do  
25 is we need to figure out how to protect that

1 tree.

2 MR. SEVERIO: That tree is not going to  
3 be touched.

4 MS. HUGHES: Yeah, but you are putting  
5 in a fence, right?

6 MR. SEVERIO: I would just go around it.

7 MS. HUGHES: Putting in for a fence  
8 wouldn't interfere at all?

9 MR. SEVERIO: I don't think so.

10 MR. VENEZIA: Saving the tree.

11 MR. SEVERIO: I don't have no intention  
12 to do anything with the tree.

13 MR. IRENE: Where is the tree located?

14 MS. HUGHES: The tree is located, if you  
15 take the left side of the house which --

16 MR. SEVERIO: Do you see the outside on  
17 the plan, that corner of the octagon to the  
18 left.

19 MR. IRENE: Large tree at southeast  
20 quadrant of the rear yard to be preserved.  
21 Large tree, possibly a Beech. Southeast, yes?  
22 Southeast quadrant of the yard to be preserved.

23 MS. HUGHES: Yeah.

24 MR. VENEZIA: Once again, you said you  
25 are not on a crawl space. You are on a 12-foot

1 basement?

2 MR. SEVERIO: I would say about 12,  
3 yeah. Eleven. Somewhere in there.

4 MR. VENEZIA: That is where you started  
5 hitting the water down that way.

6 MR. SEVERIO: The only water problem is  
7 on the front side of the house, left side, the  
8 front left side, you know, it seems like, you  
9 know, the lower part. I do have another pump on  
10 the right side. There is nothing there. There  
11 is no pumping in there. The one on the left  
12 side, that is the one that works.

13 MR. IRENE: Is it directed to the  
14 asphalt?

15 MR. SEVERIO: To the street.

16 MR. IRENE: Across the asphalt or across  
17 the grass?

18 MR. VENEZIA: It is a hose, right?

19 MR. SEVERIO: Right on the corner of the  
20 grass, yeah.

21 MR. IRENE: I thought the storm water  
22 requirements was to run it across the green area  
23 to get it to recharge into the water and not put  
24 it right on the pavement.

25 MR. SEVERIO: If you guys have a

1 suggestion.

2 MR. IRENE: I don't want to do anything  
3 that may disrupt.

4 MS. HEARD: This doesn't meet the  
5 definition of major development, so it's exempt  
6 from the storm water regulations. You need one  
7 acre of disturbance or 10 feet of new  
8 disturbance and his whole lot is 15,000 square  
9 feet.

10 MR. IRENE: Not to cause problems for  
11 the neighbors on that east side, but rather than  
12 having it run across the payment into the storm  
13 drain whether or not it should go over to grass  
14 surface maybe to get down into the ground. I  
15 don't know.

16 MR. SEVERIO: I feel like if I do that  
17 it will keep pumping. Now, if the water goes in  
18 there, it will keep pumping. I am doing that  
19 anyway.

20 MR. VENEZIA: Any other comments right  
21 now before we open it up to the public?

22 MR. STOHL: I am still having a problem  
23 with the --

24 MR. VENEZIA: Anybody in the audience to  
25 say anything?

1                   MR. IRENE:   Give us your name and  
2                   address.

3                   MS. RICH:   Jacqueline Rich, 264 Monmouth  
4                   Road.   I am the neighbor.

5                   MR. IRENE:   You are the neighbor.   This  
6                   is on Summers.

7                   MS. RICH:   Yeah, I'm right behind him.

8                   MR. IRENE:   You are the neighbor to the  
9                   rear.

10                  (Jacqueline Rich, sworn.

11                  MR. IRENE:   Okay.   Ma'am, do you have  
12                  questions or comments?

13                  MS. RICH:   Yes.   Yes.   I have pictures  
14                  and information about the -- can I defer to  
15                  Frank to tell you?

16                  MR. IRENE:   You can do whatever you  
17                  like.

18                  MS. RICH:   Okay.   This is Frank.

19                  MR. IRENE:   Are you -- do you live at  
20                  264?

21                  MR. SCATUORCHIO:   Yes.

22                  MR. IRENE:   Give us your name?

23                  MR. SCATUORCHIO:   Frank Scatuorchio.   Do  
24                  you want me to spell it?

25                  MR. IRENE:   Yes, please?

1 MR. SCATUORCHIO: S-C-A-T-U-O-R-C-H-I-O.

2 MR. IRENE: You reside at 264 Monmouth.

3 (Frank Scatuorchio, sworn).

4 MR. IRENE: So, in the set, how many  
5 photos are there?

6 MR. SCATUORCHIO: Three or four. I  
7 don't remember right this second.

8 MR. IRENE: All right. Let's see.

9 MR. SCATUORCHIO: Do you want me to keep  
10 standing or could I sit?

11 MR. IRENE: You could sit. You have to  
12 keep your voice up.

13 MR. SCATUORCHIO: Okay.

14 MR. IRENE: Wait a minute. Hold on a  
15 second, Mr. Scatuorchio. I got other stuff  
16 here. I have photographs.

17 MR. SCATUORCHIO: Right.

18 MR. IRENE: I've got a map or a copy of  
19 the plan.

20 MR. SCATUORCHIO: Yes.

21 MR. IRENE: And it looks something like  
22 questions. Is that your outline?

23 MR. SCATUORCHIO: That is my outline.

24 MR. IRENE: You are going to tell us  
25 about this.



1                   MR. SCATUORCHIO: Yes, I am. Didn't  
2 know if they needed one.

3                   MR. IRENE: Thank you.

4                   MR. SCATUORCHIO: The plan shows in  
5 highlighter the location of the tree.

6                   MR. IRENE: All right. Do me a favor,  
7 please? OFS-1 is a photocopy of part of A-1.  
8 We highlighted the location of a tree.

9                   MR. SCATUORCHIO: Correct.

10                  MR. IRENE: MR. SEVERIO?

11                  MR. SEVERIO: Yes.

12                  MR. IRENE: Can you see the highlighted  
13 location of the tree? I want you to look at  
14 that. Have a chance to look at that; is that  
15 accurate?

16                  MR. SEVERIO: Yeah, pretty much. It's  
17 actually more to the left.

18                  MR. IRENE: Close.

19                  MR. SEVERIO: Somewhere in there.

20                  MR. IRENE: We are going to mark that as  
21 OFS, and that is Mr. Scatuorchio's initials with  
22 O, for, Objector, even though it is an  
23 interested party. And that is the tree we are  
24 referring to earlier about, the one you are  
25 going to preserve.

1                   MR. SEVERIO: Yeah. I don't have no  
2 intention, unless he wants to take them out. I  
3 am not taking them out.

4                   MR. IRENE: Is that the tree you are  
5 concerned about, Mr. Scatuorchio?

6                   MR. SCATUORCHIO: Yes, sir.

7                   MR. IRENE: Is that why you marked it?

8                   MR. SCATUORCHIO: Yes, sir.

9                   MR. IRENE: Is there anything else you  
10 want to tell the Board about that plan or was  
11 that the purpose of that, to show the tree and  
12 you want that preserved also? Is that it?

13                  MR. SCATUORCHIO: We want to preserve,  
14 yes.

15                  MR. IRENE: Okay.

16                  MR. VENEZIA: Is that your only concern,  
17 is the tree?

18                  MR. SCATUORCHIO: No.

19                  MS. HEARD: Before we move away from the  
20 tree, do you want to mark the photos, too?

21                  MR. IRENE: Yep. I wanted to see what  
22 that was in my hand for. Okay. You also gave  
23 us a set of photographs, four photos. We are  
24 going to mark that group collectively of OFS-2,  
25 four photos. Is that the rear of the subject

1 property?

2 MR. SCATUORCHIO: Yes, sir.

3 MR. IRENE: Did you take the  
4 photographs?

5 MR. SCATUORCHIO: I did.

6 MR. IRENE: Photographs. When did you  
7 take those?

8 MR. SCATUORCHIO: Earlier this week, I  
9 believe it was.

10 MR. IRENE: So they fairly and  
11 accurately depict the condition of the property?

12 MR. SCATUORCHIO: Absolutely.

13 MR. IRENE: I am going to mark that OFS  
14 2 and pass it around. Tell us about those  
15 photographs.

16 MR. SCATUORCHIO: Just the photographs.

17 MR. IRENE: While we mark that, why  
18 don't you go with that first?

19 MR. SCATUORCHIO: Regarding the tree, I  
20 am most concerned about two aspects. First of  
21 all, is the digging -- according to the map, the  
22 excavation will be 10 feet from the property  
23 line. The Applicant is slightly mistaken, I  
24 believe, regarding the portion of the trees.  
25 About 50 percent. When I eyeball the property

1 line, I've been there quite a few years, I am  
2 more like 90 percent my side of the tree, five  
3 percent on his.

4 What I am worried about is the root  
5 cutting, because the umbrella of the tree, the  
6 drip line extends, approximately, 25 feet into  
7 the Applicant's property. This tree is in the  
8 neighborhood of 65 feet tall. Its umbrella is  
9 quite extensive and I am worried about roots  
10 getting compromised, at some point, from the  
11 excavation. Displacing the water. This is a  
12 fresh thought to my mind, as you are talking  
13 about the water issues in the area, water  
14 displacement could impede the receding of the  
15 water causing root rot.

16 And the other issue I have or concern I  
17 have about the tree is that it is a wonderful  
18 tree, as the Applicant has agreed. There is  
19 one, but it is a dirty thing. It is big. It  
20 drops tons of leaves and every little bit of  
21 twigs and such that drops every year. My  
22 concern his pool is going to be right underneath  
23 most of the umbrella of this tree and it is  
24 going to dump a lot of stuff into it.

25 MR. SEVERIO: Not my problem. Your

1           problem.

2                   MR. SCATUORCHIO:  It is a problem.  You  
3           are right.  I would have to deal with that  
4           eventuality.  I would not want to see the tree  
5           cut to the property line.  If you decide to  
6           approve the application, I don't know if this is  
7           allowed, a proviso it does not get cut at any  
8           point no matter how much stuff it dumped.

9                   MR. IRENE:  If it is his tree, I suppose  
10          he can do what he wants with it, unless the  
11          Board says that he can't.  If it's your tree,  
12          but it overhangs his property and I think, but  
13          it's been a long time since I studied tree law,  
14          but my recollection is that he can trim the  
15          overhang to the the property line, if he wants.

16                   MR. SCATUORCHIO:  And I am not going to  
17          argue that point with you, sir.  No.  No.

18                   MR. IRENE:  I am trying to remember.

19                   MR. GIGLIO:  That is correct.

20                   MR. SCATUORCHIO:  It is correct.  My  
21          concerns there, it could overweight the tree on  
22          one side and ruin the cosmetic symmetry.  If you  
23          can see that picture, I haven't touched that  
24          tree in 30 years and it is gorgeous.

25                   MR. IRENE:  If he has a right to do

1           that. I am saying if.

2           MR. SCATUORCHIO: You are the lawyer.

3           MR. IRENE: No. No. Could we condition  
4           an approval of a certain degree of excess lot  
5           coverage on not trimming the tree that he has a  
6           right to trim? I am just asking the question.

7           MR. SCATUORCHIO: This is all about  
8           negotiation, isn't it? You are raising the  
9           question. I don't know.

10          MR. IRENE: I don't know if I would call  
11          it negotiation. It's more about whether the  
12          Board might grant relief or not and if it did  
13          what conditions it could reasonably impose.

14          MR. SCATUORCHIO: You are suggesting  
15          what sounds pretty reasonable on its face.  
16          Anybody have any questions? Oh, it is a Linden  
17          tree, by the way. A small leaf Linden. On the  
18          paperwork on the Site Plan, I believe it was  
19          called --

20          MR. IRENE: The pool plan.

21          MR. SCATUORCHIO: Yes. On the minor  
22          survey update, I am going to ask the Applicant,  
23          was that drawn up by a site visit from the  
24          developer or did they use the original survey  
25          that was done when you bought the property?

1                   MR. SEVERIO: I think they used the  
2 original survey.

3                   MR. SCATUORCHIO: So then there was not  
4 a new survey done?

5                   MR. SEVERIO: Not to my knowledge, no.

6                   MR. SCATUORCHIO: We are going to need  
7 another survey to determine the rear property  
8 line.

9                   MR. SEVERIO: I guess we are going to  
10 have to.

11                  MR. SANTORELLI: The date on the survey  
12 is September of 2018.

13                  MR. IRENE: Signed by a surveyor also.  
14 Mine is a photocopy. MR. SEVERIO, does the  
15 survey continue to fairly and accurately depict  
16 all conditions on the property?

17                  MR. SEVERIO: I believe so.

18                  MR. IRENE: Anything that exists out  
19 there is shown on the survey. That is what I am  
20 asking you. For instance, if there is something  
21 else that might add.

22                  MR. SEVERIO: No. The only thing that  
23 was there that's not there no more is a play set  
24 that I took off.

25                  MR. IRENE: Anything that exists there

1           today is shown on the survey.

2                   MR. SEVERIO:   It's there.

3                   MR. IRENE:   Otherwise, that is going to  
4           throw our coverage numbers.

5                   MR. SEVERIO:   No, there is no change.

6                   MR. IRENE:   Mr. Scatuorchio, you had a  
7           question about the rear yard setback?

8                   MR. SCATUORCHIO:   No, sir.   The rear  
9           property line.   The Applicant cited, you know,  
10          50 percent ownership of the tree.   When I look  
11          at it, I don't see things the same way.   When I  
12          am looking at what I believe to be property  
13          corners, but since the tree is not noted on the  
14          new application or the new site plan, I can only  
15          go by my memory and what I see that is currently  
16          posted and existing, so before any fence is put  
17          before anything starts, I would request that  
18          they redetermine the property line.

19                   Right now, all we have is two corners  
20          are posted and we don't know what angles are  
21          involved.

22                   MS. HEARD:   I think what you are trying  
23          to say, and correct me not to put words in your  
24          mouth, but you are asking that the Board  
25          consider requiring that the rear property line



1           be staked by a surveyor prior to the start of  
2           construction.

3           MR. SCATUORCHIO:   Yes, ma'am.

4           MR. SEVERIO:   Somewhere in the back,  
5           there is a stake there, but I am not exactly  
6           sure.  He put one over there, but I don't think  
7           that is right, but he did.

8           MR. SANTORELLI:   And do you need a  
9           survey to put a fence up?

10          MS. HEARD:   You are required to submit a  
11          survey for the application.  There is no  
12          requirement that you have the surveyor stake the  
13          location of the fence.  I mean, it is good  
14          practice.

15          MR. IRENE:   You wouldn't want to sink  
16          the pool and start putting in fences and then  
17          find out somebody screwing up the property line.

18          MR. SEVERIO:   Definitely not.  
19          Definitely not.

20          MS. HEARD:   Then you wouldn't want to  
21          move the pool.

22          MR. SEVERIO:   No, we definitely don't  
23          want to do that.

24          MR. IRENE:   Anything else?

25          MR. SCATUORCHIO:   Yeah.

1                   MR. IRENE:   Go ahead.

2                   MR. SCATUORCHIO:   Oh, could you explain  
3                   the concrete deck surrounding the pool?  I don't  
4                   read plans all that well, but I didn't think  
5                   that the deck was included in the setbacks.  
6                   Now, the concrete decking is the little dots on  
7                   it.  When I saw the arrows delineating the rear  
8                   and side yard setbacks, it went to what looked  
9                   to me like the edge of the pool and not the  
10                  deck, which is also more impervious surface.  So  
11                  I am just confused on that point.

12                  MS. HEARD:   The Ordinance requires the  
13                  pool itself to be set back 10 feet from the side  
14                  property line.  Accessory structures are  
15                  required to be set back the height.  I am  
16                  assuming that the concrete sidewalk is, you  
17                  know, at grade or a couple of inches above the  
18                  grass.  So technically, it could almost go up to  
19                  the property line, based on the current  
20                  Ordinance.

21                  MR. SCATUORCHIO:   Okay.

22                  MS. HEARD:   If it's coverage, it would  
23                  be over on coverage.

24                  MR. SCATUORCHIO:   It is a seven-foot  
25                  setback.

1                   MR. IRENE:   Ten foot because of the  
2                   pool.

3                   MR. SCATUORCHIO:   My mistake.

4                   MR. IRENE:   That is apparently required.  
5                   The concrete surround that goes around the pool,  
6                   MR. SEVERIO, that is not elevated, is it, on  
7                   grade?

8                   MR. SEVERIO:   It's going to be flush on  
9                   the pool.

10                  MR. IRENE:   So it's on grade.

11                  MR. SEVERIO:   Yes.

12                  MR. IRENE:   Does that answer your  
13                  question, Mr. Scatuorchio?

14                  MR. SCATUORCHIO:   Yeah.   What are  
15                  dimensions of the pool?   I must have missed it  
16                  on the plans.

17                  MR. SANTORELLI:   Proposed 16-by-36.

18                  MR. IRENE:   It's on there.

19                  MR. SCATUORCHIO:   Okay.   I think I read  
20                  it correctly, you are asking for a six-foot  
21                  fence all the way around?

22                  MR. SEVERIO:   Whatever I have to do.

23                  MR. SCATUORCHIO:   Code is four foot, I  
24                  think.

25                  MS. HEARD:   The Ordinance, the code says

1           you need four-foot minimum for a pool fence.  
2           The Ordinance permits a side and a rear property  
3           line fences to go up to six feet in height.

4                   MR. SCATUORCHIO:   Okay.   Just making  
5           sure.

6                   MS. HUGHES:   And the plan says, proposed  
7           six foot.

8                   MR. SCATUORCHIO:   Okay.   When the  
9           property was bought in 2001, I was almost  
10          positive at the time because I was at the  
11          hearings, it was zoned for a 30 percent  
12          impervious surface.   Now, you guys discussed  
13          that just a few minutes ago, so apparently, I am  
14          wrong?

15                   MS. HEARD:   No.   It is still maximum 30  
16          percent permitted, but they are requesting more.

17                   MR. IRENE:   In 2001, there was not a  
18          limit.

19                   MS. HEARD:   Thirty percent building  
20          coverage at that point.

21                   MR. SCATUORCHIO:   Oh, okay.   The  
22          variance was requesting they gave him  
23          42-and-a-half percent.

24                   MS. HUGHES:   No.   It wasn't granted  
25          because there was no Ordinance at that time.

1           MR. IRENE: Wait a minute. Are we  
2           talking about two different applications,  
3           because it sounded like Mr. Severio was after  
4           2001. Did I misunderstand you? You said, 12  
5           years ago.

6           MR. SEVERIO: Twelve years ago.

7           MR. SCATUORCHIO: Then my timeline was  
8           way off. I took it from another document that I  
9           had, but I do recall. I was at the meetings.  
10          They were granted a variance for the  
11          larger-sized dwelling. And, as it states on the  
12          plans, we are at 42-and-a-half percent  
13          currently.

14          MR. IRENE: Mr. Severio testified he  
15          received lot coverage variance.

16          MR. SCATUORCHIO: Yes, I remember. I am  
17          not arguing that point at all.

18          MR. IRENE: Okay.

19          MR. SCATUORCHIO: But the proposal is  
20          48.8. I don't know if the Borough is allowing  
21          this density of coverage all over town, but that  
22          calls into question the current codes. Given  
23          the existing layout of the property, it seems  
24          excessive. I mean, it is a 15,000 square foot  
25          lot where 25,000 was the code. Variance has

1           been granted. We are almost at 50 percent lot  
2           coverage.

3                   MR. SANTORELLI: If we were at an R10  
4           zone, what would the coverage be, just out of  
5           curiosity?

6                   MS. HEARD: Hold on. Oh, it's forty  
7           percent permitted in the R10 zone.

8                   MR. IRENE: Is there an R15?

9                   MS. HUGHES: There is.

10                  MR. IRENE: Is that 15,000 square foot?

11                  MS. HUGHES: I have no idea.

12                  MS. HEARD: Yeah, and I've got the  
13           coverage. Hold on. I've got papers everywhere.  
14           The R22 is 30 percent coverage. R15 is 38  
15           percent impervious coverage. These are all  
16           impervious coverages. R10 is 40, and then the  
17           senior housing and the multi-family housing is  
18           50 percent.

19                  MR. VENEZIA: What is the R15 again?

20                  MS. HEARD: R15 is 38 percent.

21                  MS. HUGHES: So, my question is, in  
22           regard to the impervious surface, so I know you  
23           said you agreed to protect that tree and I think  
24           we have to make sure that the property line is  
25           surveyed properly so that when you put the pool

1 in it winds up in the right spot.

2 MR. SEVERIO: Right now, I am only  
3 missing one stake. I know where the other one  
4 is. If I don't find it, then obviously, I have  
5 to get somebody over there to do it again.

6 MS. HUGHES: Okay. Are you willing to  
7 make the pool any smaller to help with the  
8 impervious?

9 MR. SEVERIO: If that's what it comes  
10 down to, then yes.

11 MS. HUGHES: Is anyone in agreement that  
12 maybe we should try to work out?

13 MR. LAMARCA: Get it closer?

14 MS. HUGHES: Yeah, maybe make it a  
15 little bit smaller and, you know, well, I don't  
16 want to say.

17 MR. IRENE: The question Mr. Severio,  
18 is, have you given any consideration to ways  
19 that you can mitigate the proposed excess  
20 coverage? That's what the Board is kind of  
21 looking at.

22 MR. SERVARIO: Well, when I first, you  
23 know, we got the design of the pool, I didn't  
24 think I was going to have a problem with the,  
25 you know, with the coverage. I didn't think it

1           was, but if it comes down to that, you know,  
2           it's too big, well, then I have to --

3           MR. IRENE:  If you got a variance for  
4           the coverage already then anything above that  
5           would have required further variance, right?

6           MR. SEVERIO:  I didn't know, because,  
7           you know, when we submit the plan for the pool  
8           then that's where I realized, that, you know, I  
9           have to have a variance and that's why, you  
10          know, but I didn't know before.

11          MR. IRENE:  Again, that is what the  
12          Board is looking at.  Is there coverage that can  
13          be reduced by eliminating some existing  
14          coverage?  Can the total proposed coverage be  
15          reduced by reducing the pool?  So the Board is  
16          looking at 42.5 percent that exists right now  
17          where 30 percent is the maximum allowed, but you  
18          did get a variance for that, apparently.

19          MR. SEVERIO:  Yes.

20          MR. IRENE:  I don't have the Resolution,  
21          but it says you did.  Now you are looking to  
22          increase that further.

23          MR. SEVERIO:  It is a very big lot.  
24          There is a lot of, you know, grass there.

25          MR. IRENE:  But the problem is, looking



1 at the numbers.

2 MR. SEVERIO: I understand.

3 MR. IRENE: You are looking to push that  
4 up to almost 49 percent, so the Board is going  
5 to be looking for, is there existing coverage  
6 that can be eliminated to offset the increase  
7 and can we reduce the increase by reducing the  
8 pool or are you saying we want to stay with the  
9 49 and it's up to the Board to say what they  
10 want to do. That's what they would normally  
11 look at. They are normally going to ask an  
12 Applicant, is there an existing coverage that  
13 you can swap out for the proposed coverage, so  
14 you can mitigate the proposed increase. Do you  
15 follow me?

16 MR. SEVERIO: Yeah, if there is anything  
17 I can do, I will definitely do it.

18 MS. HEARD: Can I make a suggestion?

19 MR. IRENE: Sure.

20 MS. HEARD: Is this something that you  
21 might want to consider asking the Board to carry  
22 to another meeting, so you can meet with your  
23 engineer and your pool company and come up with  
24 an alternative plan as opposed to trying to do  
25 something that is on the --

1                   MR. IRENE:   On the fly.

2                   MR. SEVERIO:   As long as, you know, we  
3                   are not going to make it like a little tub.

4                   MS. HEARD:   You have to present  
5                   something.

6                   MR. SEVERIO:   I'm not sure exactly.

7                   MR. IRENE:   You are over now.

8                   MR. SEVERIO:   I understand.   Is there a  
9                   number you are going to allow me to?

10                  MS. HUGHES:   The Board is going to want  
11                  to know why you can't stay at that number or  
12                  stay very close to it.   That's what they are  
13                  going to say.   Otherwise, people can max out,  
14                  you know, get a variance to exceed, and come  
15                  back, and say, I want a pool.   I want a tennis  
16                  court.

17                  MR. SEVERIO:   No.   No.   The pool is the  
18                  last thing going in.

19                  MR. IRENE:   Okay.   So that is why they  
20                  are going to look at it, and say, well, okay,  
21                  you are over it now.   Is there stuff that you  
22                  can swap out?   Can you lose some of the  
23                  driveway?   Can you lose some decking?   Can you  
24                  lose some driveway?   Is there things that can be  
25                  eliminated, so we can hold the number you are at

1 or greatly reduce the proposed increase by  
2 eliminating existing coverage, by shrinking the  
3 size of the pool, by a combination. Obviously,  
4 if you shrink the pool to 5 feet by 5 feet, you  
5 are not going to put in the pool because it's  
6 not worth it. But the question is, can you  
7 eliminate other coverage then and also reduce  
8 the pool? As Ms. Heard said, rather than doing  
9 this all on the fly here, is it the kind of  
10 thing where you want to ask the Board to carry  
11 it, so you can sit down with your engineer  
12 and/or your pool company and maybe look at what  
13 you might be able to eliminate, figure out how  
14 much that might save you in coverage, see how  
15 close you can get, figure out if you shrink the  
16 the pool or shrink some of the walkway around  
17 it. I don't know if code requires three feet or  
18 three feet all the way around.

19 MR. SEVERIO: Right now, that is all I  
20 have is two feet.

21 MR. IRENE: I know that's what's  
22 proposed. I don't know if it requires all the  
23 way around.

24 MS. HUGHES: Does it require?

25 MS. HEARD: I don't know.

1 MR. GIGLIO: Yep.

2 MR. SEVERIO: What if you do paver?

3 MS. HEARD: That's still coverage.

4 MR. IRENE: These are the things you can  
5 discuss with your engineer and or pool company.  
6 Otherwise, it's being done on the fly here and  
7 that could cause a problem.

8 MR. SEVERIO: In that case then I will  
9 talk to him and then come back.

10 MS. HUGHES: Yeah, I think that would be  
11 a good idea, I think, then you can drive the  
12 boat. You can tell this is what I want to cut  
13 out and this is what will work.

14 MR. SEVERIO: Is there a number you are  
15 looking for?

16 MS. HEARD: Can I make a suggestion?

17 MR. LAMARCA: Yes.

18 MS. HEARD: There is other public, I am  
19 assuming in the back. Does the Board want to  
20 see if there is anyone in the public that might  
21 have another concern? This way, the Applicant  
22 can kind of --

23 MR. VENEZIA: Put everything.

24 MS. HEARD: Put everything together at  
25 the same time, other than addressing one concern

1           and coming back that some other person may have  
2           another concern and then --

3                   MR. SANTORELLI:   Start over again?

4                   MS. HEARD:   Not start over again.   Maybe  
5           you can hear everybody's concern and not closing  
6           the public, but hear what the other concerns  
7           are.

8                   MR. LAMARCA:   Sounds like a plan.

9                   MR. IRENE:   Anybody else in the audience  
10          that wants to be heard?

11                   MS. IPSEN:   Marie Ipsen.   I live at 70  
12          Summers Avenue.

13                   (Marie Ipsen, sworn.)

14                   MR. IRENE:   So, you are at 70 Summers.  
15          Which side are you facing?

16                   MS. ISPEN:   On the east side.

17                   MR. IRENE:   What is it?   Either you want  
18          to ask questions or make comments.

19                   MS. ISPEN:   Make comments, I guess.

20                   MR. IRENE:   Okay.

21                   MS. ISPEN:   The water, there is always  
22          water in the street and the hose sometimes gets  
23          onto my property and my lawn man can't cut my  
24          grass on the west side, which is close to them,  
25          because it is saturated with the water.   I've

1           moved it a couple of times and lately it's not  
2           there. It's now pointed to the street. There  
3           is always water in the street, whether it's  
4           raining or not. There is always water coming  
5           out. And if you're going to put a pool there,  
6           there is lots of water underneath the land and I  
7           don't know if you're going to go that deep that  
8           they are going to get water again and where is  
9           that water going to flow? Water flows. Is it  
10          going to flow into my yard and I am going to  
11          have a river on my yard? I just have questions.  
12          That is it.

13                 MR. SANTORELLI: Okay.

14                 MR. IRENE: Anybody else?

15                 MS. WHITFORD: My name is Ellen  
16          Whitford.

17                 (Ellen Whitford, sworn.)

18                 MS. WHITFORD: And I am here. Well, I  
19          had spoken with Mr. Scatuorchio and I am on the  
20          Shade Tree Commission. I don't live on Summer.

21                 MR. IRENE: You are on the Shade Tree  
22          Commission?

23                 MS. WHITFORD: In town, yes. So I did  
24          walk the property and I did look at the tree  
25          and I just had a question. How close is the

1 pool going to be to the tree, okay, but it  
2 sounds like you already have a problem with  
3 water in the yard and I just want to point out  
4 that cutting the tree roots will definitely  
5 affect the tree. So when you cut, that  
6 umbrella, as Mr. Scatuorchio had spoken extends  
7 25 percent into the yard, so because the tree is  
8 about 60 feet high, those tree roots are already  
9 well into the yard. So you are going to cut the  
10 roots and the concrete, it's going to affect the  
11 tree. The tree has tremendous value in  
12 stabilizing the water table in that water, those  
13 roots are taking up a lot of water right now and  
14 it's amazing that you have a water problem,  
15 because you got that tree to help you. If you  
16 start damaging that tree, it works both ways. I  
17 mean, not just aesthetically, but it's going to  
18 affect the water table. Not just because of the  
19 concrete, but because of the tree roots. You  
20 are going to have less tree roots soaking up the  
21 water. I just wanted to point that out.

22 MR. IRENE: Thank you.

23 MR. VENEZIA: My concern was, you know,  
24 the water table in that area. I didn't know we  
25 had a 12-foot basement and you are going to hit

1 water in most areas of West Long Branch would.  
2 I thought it was like a crawl space.

3 MR. SEVERIO: On that street, there is  
4 three peoples that have a problem with the  
5 water, me, the guy, I don't know his name, but  
6 only three person and the one I got, I guess,  
7 one of the worst one and the last house on the  
8 street, you drive by over there and you are  
9 going to see a hose over there all of the time.

10 MR. IRENE: Are you allowed to tie into  
11 the storm water system? Are you allowed to sink  
12 the pipe? Not the sanitary sewer, but the storm  
13 sewer. I don't know.

14 MS. HEARD: You have to get permission  
15 from the Borough Commissioner.

16 MR. IRENE: Did you ever ask?

17 MR. SEVERIO: No.

18 MR. VENEZIA: It would take that  
19 unsightly hose off.

20 MR. SEVERIO: Look, the only reason  
21 that's there I had to. I don't like it. It  
22 cost me money running that pump. I wish I  
23 didn't have that problem, but I do. I have to  
24 deal with that.

25 MR. IRENE: Either way, it's running to



1           the storm sewer, because it's running down the  
2           street into the storm sewer. If you can tie in  
3           or sink it and have it come out on the curb, it  
4           still would be in the street. It would not be  
5           affecting the neighbor. You pipe it. It would  
6           be something that would be moving, run it  
7           underground and come out the curb.

8                   MS. HEARD: You might want to talk to  
9           the town.

10                   MR. SEVERIO: Then you have to cut it on  
11           the street, right?

12                   MR. VENEZIA: Cut the curb.

13                   MS. HEARD: It can't go out through the  
14           curb. It would have to be piped through some  
15           type of drainage system.

16                   MR. SEVERIO: That would be the sewer  
17           line, right?

18                   MS. HEARD: The storm sewer.

19                   MR. IRENE: Not the sanitary sewer.  
20           Couldn't cut the sidewalk?

21                   MS. HEARD: Well, you could cut the  
22           sidewalk and run it behind the curb. The  
23           problem is, you can't have a hose or a pipe  
24           coming out through the curb and discharging into  
25           the street.

1                   MR. SANTORELLI: Even if it's flush with  
2 the curb.

3                   MS. HEARD: It is not allowed.

4                   MR. LAMARCA: It's not allowed.

5                   MS. HEARD: It's not allowed to go out  
6 through the curb. You could install piping  
7 behind the curb to get to, I don't know where  
8 the nearest drainage is in the neighborhood.

9                   MR. SEVERIO: Not close at all.

10                  MR. LAMARCA: I see pipes coming through  
11 the curb.

12                  MS. HEARD: You are not supposed to have  
13 them.

14                  MR. VENEZIA: They were old ones. Old  
15 day.s

16                  MR. IRENE: Any other interested parties  
17 have any other comments?

18                  MR. IRENE: Gentleman in the back,  
19 would you give us your name and your address?

20                  MR. JULIANO: Nick Juliano, 76 Summers  
21 Avenue, West Long Branch. J-U-L-I-A-N-O.

22                  MR. IRENE: You are on the other side?

23                  MR. JULIANO: Yes.

24                  MR. IRENE: You are on the --

25                  MR. JULIANO: West side.

1 (Nick Juliano, sworn.)

2 MR. JULIANO: My basement is about  
3 eight, 8'6" deep and I've been there since 1976  
4 and I've yet to have water in the basement.

5 MR. VENEZIA: That extra three or four  
6 feet makes a big difference.

7 MS. IPSEN: I don't have any water.

8 MR. JULIANO: That tree, it is a  
9 beautiful tree, but it's been there probably  
10 since the early '40s. I am basing that off of  
11 the information I got from the Dudleys when they  
12 lived in the house that Caesar lives in now.  
13 The water, the water problem there in the back  
14 where Frank's property runs in the back, there  
15 used to be a stream that ran through there and  
16 somebody covered it over. Whoever had stripped  
17 all of the soil off of that property back there,  
18 so I don't know what happened to it, but that's  
19 why there is a lot of water in the area. Most  
20 of the area back there Caesar's yard, mine, just  
21 about all sand, so it percs right through. So I  
22 have no objection with him, with what he wants  
23 done.

24 MR. IRENE: Okay. Anybody else? You  
25 had another comment?

1                   MR. VENEZIA: I do have a question of  
2                   Mr. Juliano.

3                   MR. JULIANO: Yes.

4                   MR. VENEZIA: Do you have any problem  
5                   with the aesthetics of the garage or the shed  
6                   that he has?

7                   MR. JULIANO: Do you want me to answer  
8                   that bluntly? When the Dudleys lived there, I  
9                   had an 18-wheeler in the driveway, okay? That  
10                  was there for years.

11                  MR. VENEZIA: Well, seeing --

12                  MR. JULIANO: His place is beautiful.  
13                  that is all I can say. It doesn't bother me.

14                  MR. VENEZIA: Once again, your property  
15                  also has a garage closer to the line, which is  
16                  okay, because it was well pre-approved many  
17                  years ago. It is an existing condition. My  
18                  thought was, if they moved that shed back to  
19                  that property line, but then, again, the pool is  
20                  all off.

21                  MR. JULIANO: Yeah.

22                  MR. VENEZIA: So that wouldn't work.  
23                  And we still have the problem with the shed.  
24                  The shed is still, you know, were you ever  
25                  summonsed had for that and did you have to go to

1 court on that?

2 MR. SEVERIO: No.

3 MR. VENEZIA: Have you taken care of the  
4 stop construction notice?

5 MS. HEARD: Well, that is why he is  
6 here.

7 MR. IRENE: He either needs a variance  
8 or he has to move.

9 MR. VENEZIA: We still have that major  
10 issue here.

11 MR. SEVERIO: Somewhere, you know, was a  
12 mistake because nobody said to me. Otherwise,  
13 the shed wouldn't be there, because I don't have  
14 that much of a space over there.

15 MR. VENEZIA: You certainly don't.

16 MR. SEVERIO: That's where the shed was  
17 always supposed to be. I made a plan for that.  
18 I have a permit and I have a plan for that. And  
19 I think, you know, when the inspector, when he  
20 came in, the only reason he didn't give me the  
21 okay is because you look at the front of the  
22 shed and the driveway it looks very small there,  
23 but it's actually five-and-a-half, almost six  
24 right there. That's where I thought I was  
25 supposed to be six. I am just shy of six.

1                   MR. VENEZIA: I do stand corrected, it  
2 is towards the back of your property.

3                   MR. SEVERIO: Yes.

4                   MR. IRENE: That driveway on that side  
5 where the shed is, did your engineer or your  
6 pool, when you guys were laying this out, give  
7 any consideration maybe eliminating that  
8 coverage there. Do you use that in front of the  
9 shed?

10                  MR. SEVERIO: Well, that is I park my  
11 van, my working van.

12                  MR. IRENE: Well, is there an attached  
13 garage?

14                  MR. SEVERIO: No. My garage is just a  
15 regular garage.

16                  MR. IRENE: It is attached to the house.

17                  MR. SEVERIO: Attached, yes.

18                  MR. IRENE: That is where the driveway  
19 comes in on the --

20                  MR. SEVERIO: Where you see the round  
21 part of the driveway.

22                  MR. IRENE: Right.

23                  MR. SEVERIO: That is another thing,  
24 too, when I built the house, they made me put  
25 the house 40 feet back from the street.

1                   MR. IRENE:   Uh-huh.

2                   MR. SEVERIO:   Which I don't think right  
3                   now you have to do that anymore.   And I have so  
4                   much land in the front of the house.   Otherwise,  
5                   I would just have a driveway straight, but, you  
6                   know.

7                   MR. IRENE:   One of the problems, that  
8                   driveway is horseshoe shaped, isn't it?

9                   MR. SEVERIO:   Uh-huh.

10                  MR. IRENE:   That contributes to --

11                  MR. SANTORELLI:   A lot of your coverage.

12                  MR. IRENE:   A lot of your coverage, in  
13                  addition to the house itself.   That, and the  
14                  deck.   I don't know how much of that can be  
15                  removed, but that is the kind of thing that you  
16                  may have to look at to get your numbers down.

17                  MR. SANTORELLI:   You can remove the  
18                  driveway and consider reworking that a little.

19                  MR. VENEZIA:   But is there any other  
20                  concern besides myself about the shed?   As we  
21                  said, if you're going to come back, we don't  
22                  want you to come back and forth.   We want you to  
23                  know what our concerns are.

24                  MS. HUGHES:   I don't know if we can be  
25                  concerned with the shed.   It's not in front of

1           us.

2                   MR. IRENE:   It is.

3                   MR. SANTORELLI:   It has to be now.

4                   MR. IRENE:   It's part of the  
5           application.

6                   MS. HUGHES:   Okay.   I didn't know that.

7                   MR. IRENE:   Obviously, you could move it  
8           somewhere else.   You could leave it there and  
9           hope the Board grants you relief.   You could  
10          propose maybe putting in a kind of a row of  
11          arborvitaes on the west side of it to try and  
12          screen it, even though your neighbor say he has  
13          no objections to soften the deficient setback.  
14          There is different things you can do to mitigate  
15          any adverse visual impact.   What is it, 12 feet  
16          deep?

17                   MR. SEVERIO:   It's 20-by-10.

18                   MR. IRENE:   That is not that big of a  
19          span before you hit your fence anyway.   That  
20          kind of softens the fact that it's not setback  
21          enough.   Different things you can think about,  
22          because the Board has got to be grappling with  
23          these kind of variances.   The big one is the lot  
24          coverage.   You are proposing, in honor of Mr.  
25          Schulz, who was up here on the last application,



1           you are proposing 48.8 over 30, right? That is  
2           163 percent. That is two-thirds again of what  
3           is allowed. It is a big deviation and the Board  
4           has got to be concerned about not only what it  
5           does to surface water flow, You know, when it  
6           rains, forget about your underground situation,  
7           but when it rains, where is this water going to  
8           go? And it also has to be concerned about  
9           aesthetics. A large piece of the property is  
10          going to be covered with grass. That is what  
11          the Board is grappling with is 42.5 and now you  
12          are looking to bump that even higher. Any other  
13          questions from interested parties or comments  
14          before the Board figures out if they are going  
15          to carry it over not? Mr. Scatuorchio?

16                 MR. SCATUORCHIO: My further question  
17                 was, I don't know anything about pool  
18                 maintenance. Do pools get drained to some  
19                 degree on an annual basis?

20                 MS. HUGHES: No.

21                 MR. IRENE: What happens when you  
22                 backwash it?

23                 MR. GIGLIO: You could drop the water  
24                 below the skimmer every winter and you need to  
25                 blow the lines out every winter. So, the water

1           has to be dropped below the skimmer, the skimmer  
2           has to be capped off. The outside jets have to  
3           be --

4                   MS. HUGHES: The skimmer? How many  
5           inches?

6                   MR. GIGLIO: Two feet.

7                   MR. IRENE: Don't you have to backwash  
8           the pool?

9                   MR. GIGLIO: Nope. The water has to be  
10          blown out of the lines, they have to be capped  
11          off airtight. A vacuum has to get put into  
12          them, the pump has to pump two feet of the water  
13          out below the skimmer. The skimmer has to be  
14          capped off.

15                  MR. IRENE: Where does the water go when  
16          you pump it out?

17                  MR. GIGLIO: To the outside onto your  
18          property.

19                  MR. IRENE: Does the code provide how  
20          that has to be done? No?

21                  MR. GIGLIO: No, there is nothing on  
22          there.

23                  MR. IRENE: It's going to be pumped out  
24          over the lawn presumably.

25                  MR. SCATUORCHIO: As we were referencing

1       rainwater and as I could say the pad around the  
2       pool, the pool is 10 foot off the property line,  
3       with about three foot of concrete padding which  
4       leaves, approximately, seven feet to my property  
5       line and we are, approximately, three to four  
6       feet below the grade of the subject property, so  
7       isn't -- I don't know, don't pools overflow?  
8       They don't overflow?

9               MR. GIGLIO: I've had a pool now for  
10       almost eight years it never flowed. I also have  
11       a pump during the wintertime.

12              MR. SCATUORCHIO: I'm sorry?

13              MR. GIGLIO: I put a pump in my pool in  
14       the wintertime. That way, in case the sides  
15       come up the liner, it gets pumped out. The  
16       worst thing you want is to have the water go up  
17       and above your liner. That is a no, no in this  
18       world. You want to keep it three inches below  
19       the top at all times.

20              MR. SCATUORCHIO: What was the other  
21       question? I don't know how deep down they are  
22       going, but is there any chance the water  
23       pressure is going to come up?

24              MS. RICH: Come up from the street?

25              MR. IRENE: Do you know how deep the

1 pool is going to be?

2 MR. SEVERIO: Five, a little over five.

3 MR. SCATUORCHIO: Is that right at the  
4 bottom, five foot?

5 MS. HUGHES: Yeah, that is typically  
6 what they are.

7 MR. SCATUORCHIO: I guess that is about  
8 it.

9 MR. IRENE: Sir? Mr. Juliano?

10 MR. JULIANO: I know with my pool, I put  
11 out 125 feet of two-inch hose when I backwash  
12 the pool twice a year, once when I open it up  
13 and once when I close it and that runs all the  
14 way out to the street.

15 MR. LAMARCA: And how deep is your pool?

16 MR. JULIANO: Eight foot six.

17 MR. VENEZIA: Is it in line with his  
18 pool, his proposed pool?

19 MR. JULIANO: Let's put it this way, you  
20 have to jump over the garage and over about 10  
21 or 12 feet, but yeah.

22 MR. SANTORELLI: You are on the back of  
23 the property line then?

24 MR. SEVERIO: He is facing this way. My  
25 house is going to be this way.

1                   MR. IRENE:   Mr. Juliano, how far is your  
2                   pool located from your rear property line? Do  
3                   you know?

4                   MR. JULIANO:   I don't know, 15, 20 feet,  
5                   maybe.

6                   MR. VENEZIA:   You didn't have the  
7                   disturbance of that old stream?

8                   MR. JULIANO:   No.   The stream is beyond  
9                   what I call the Marist property, which was  
10                  behind ours.   The only reason I knew about the  
11                  stream was Dudleys, who lived next-door, they  
12                  had been there, I don't know how many years,  
13                  they said that stream used to run through there  
14                  until they named the fellow who bought the  
15                  property and then stripped the property of all  
16                  of the topsoil.

17                  MR. SCATUORCHIO:   Just a point of  
18                  information regarding the water, the house at  
19                  264 Monmouth Road, our house, don't ask me why,  
20                  there is not a drop of water in that basement.  
21                  We've been very fortunate over the years.   But  
22                  when you were referencing earlier on DeForrest,  
23                  the old Irons house, gentleman has at least one,  
24                  if not two garden hoses running into the storm  
25                  drain only 360 days a year.   Poor guy.   It is a

1           horrible flood. That is what owe that bamboo  
2           forest that got started by Mr. Irons down on  
3           DeForrest. His place was an old barn. It was a  
4           swamp in the back. Many years ago, he planted  
5           bamboo. It sucked up a lot of the water.  
6           Unfortunately, it's migrated. I managed to keep  
7           it at bay, because I stopped it at our rear  
8           property.

9                   MR. IRENE: So, are we to the point  
10           where, Mr. Severio, you want to ask the Board to  
11           carry this, so you can sit down with your  
12           engineer --

13                   MR. SEVERIO: I would like to.

14                   MR. IRENE: -- or your pool guy and see  
15           if he can work the numbers.

16                   MR. SEVERIO: Yes, please.

17                   MR. IRENE: You heard the comments of  
18           the Board and the interested parties.

19                   MR. SEVERIO: Yes.

20                   MR. VENEZIA: Concern about the tree  
21           being fenced around, possibly the water on the,  
22           you know, to figure out the water on the side of  
23           your house?

24                   MR. SEVERIO: If you guys allow me to  
25           put it in the sewer, I will do it.

1                   MS. HEARD: You should talk to the  
2 Borough.

3                   MR. LAMARCA: Who could answer the  
4 question for him? Jim?

5                   MS. HEARD: No. No.

6                   MR. SEVERIO: Long Branch.

7                   MS. HEARD: No. You would have to come  
8 in and talk to them to grant you permission to  
9 tie in.

10                  MR. VENEZIA: Anyone, in particular?  
11 Any department?

12                  MS. HEARD: Either Public Works or the  
13 Administrator. One or the other.

14                  MR. SEVERIO: Let me ask you a question,  
15 if, for some reason, they say you are not  
16 allowed to do that, what do I do? I mean, I  
17 have the water.

18                  MR. IRENE: The situation is what the  
19 situation is, right? I mean, it is a question  
20 if that could be improved.

21                  MR. VENEZIA: A little well in the front  
22 underground and put the water five feet deep.

23                  MR. IRENE: It's got no where to where  
24 to go.

25                  MS. HUGHES: Then you continue doing it

1 the way you are doing it.

2 MR. SEVERIO: I don't like the idea that  
3 the water runs that way. I don't like it. I  
4 don't think it looks good.

5 MS. HUGHES: You have no choice.

6 MR. SEVERIO: Either it goes over there  
7 or it stays inside my basement.

8 MR. LAMARCA: You have a new indoor  
9 swimming pool.

10 MR. IRENE: Meet with the administrator  
11 and speak your concerns. They may refer you to  
12 the Borough Engineer.

13 MS. HEARD: Or Public Works.

14 MR. IRENE: Does the Board want to  
15 consider carrying this to the next date?

16 MS. DEGENARO: May 23rd.

17 MS. HUGHES: I would make a motion to  
18 carry this application to the next meeting which  
19 is May 23rd.

20 MR. IRENE: Without the necessity of  
21 re-Notice and with the Applicant stipulating an  
22 extension of time in which the Board has to act.  
23 You are going to grant us approval to carry it  
24 for you. Yes?

25 MR. SEVERIO: Yes.



1 MS. DEGENARO: Robert Venezia?

2 MR. VENEZIA: Yes.

3 MS. DEGENARO: Pamela Hughes?

4 MS. HUGHES: Yes.

5 MS. DEGENARO: Paul Santorelli?

6 MR. SANTORELLI: Yes.

7 MS. DEGENARO: Scott LaMarca?

8 MR. LAMARCA: Yes.

9 MS. DEGENARO: Paul Giglio?

10 MR. GIGLIO: Yes.

11 MS. DEGENARO: August Stohl?

12 MR. STOHL: Yes.

13 MS. DEGENARO: Gregg Malfa?

14 MR. MALFA: Yes.

15 MR. IRENE: Any interested parties, the  
16 matter is being carried to that date, May 23,  
17 2019. Same place, same time. You will get no  
18 further notice. Please mark your calendar  
19 accordingly. Thank you.

20 MR. VENEZIA: Start with the  
21 Resolutions. We are going with Cipriano, 36  
22 Orchard.

23 MR. IRENE: Motion on that? Anybody  
24 want to make a motion?

25 MR. VENEZIA: Any comments on it? Any

1 corrections or additions?

2 MR. SANTORELLI: Cipriano.

3 MR. VENEZIA: Seven-page Resolution.

4 MS. HUGHES: No. I make no comments.

5 MR. STOHL: I will make a motion.

6 MR. GIGLIO: I will second it.

7 MS. DEGENARO: Robert Venezia?

8 MR. VENEZIA: Yes.

9 MS. DEGENARO: Micahel Schulz?

10 MR. SCHULZ: Yes.

11 MS. DEGENARO: Pamela Hughes?

12 MS. HUGHES: Yes.

13 MS. DEGENARO: Paul Santorelli?

14 MR. SANTORELLI: Yes.

15 MS. DEGENARO: Paul Giglio?

16 MR. GIGLIO: Yes.

17 MS. DEGENARO: August Stohl?

18 MR. STOHL: Yes.

19 MR. VENEZIA: The second Resolution is  
20 the Dedeyn 18 Franklin Parkway. It is an  
21 eight-page Resolution. Approval of a bulk  
22 variance relief.

23 MR. IRENE: This was the pool remember  
24 where the fence encroached.

25 MR. VENEZIA: This is eight-page

1 Resolution. Any corrections? Additions?  
2 Comments?

3 MR. SCHULZ: I have a comment and/or a  
4 question. Point of order, somebody told me this  
5 party is moving out of the house or the house is  
6 sold or in the process of being sold. Is it  
7 finalized here tonight or was it finalized when  
8 we voted on it?

9 MR. IRENE: You voted on it. When you  
10 voted on it, that was the action. This simply  
11 memorializes.

12 MR. SCHULZ: The action was if he owned  
13 the house then that's the way it's going to  
14 stand.

15 MR. IRENE: Yeah, it runs with the land.  
16 The approval runs with the land and it is  
17 conditioned on him doing certain things. If he  
18 or his successor in interest doesn't do those  
19 things then he has got other issues.

20 MR. SCHULZ: Alright.

21 MR. VENEZIA: Any other comments?

22 MS. HUGHES: No.

23 MR. STOHL: Motion to accept the  
24 Resolution as presented.

25 MS. HUGHES: I will second that motion.

1 MS. DEGENARO: Robert Venezia?

2 MR. VENEZIA: Yes.

3 MS. DEGENARO: Michael Schulz?

4 MR. SCHULZ: Yes.

5 MS. DEGENARO: Pamela Hughes?

6 MS. HUGHES: Yes.

7 MS. DEGENARO: Paul Santorelli?

8 MR. SANTORELLI: Yes.

9 MS. DEGENARO: Paul Giglio?

10 MR. GIGLIO: Yes.

11 MS. DEGENARO: August Stohl?

12 MR. STOHL: Yes.

13 MR. VENEZIA: Alright. The

14 administrative section is New Jersey Storm Water  
15 Review Training.

16 MS. HEARD: Yeah, it was just a  
17 question. I know that one person on the end  
18 over here, because he keeps bringing it up has  
19 completed the storm water training that Mike had  
20 emailed out. I want to remind everybody they  
21 have to get that done and get that certification  
22 in. The DEP is going to be coming in and doing  
23 an inspection and if you didn't have the  
24 training done you could get yourselves in a  
25 little bit of trouble.

1 MR. LAMARCA: Last year?

2 MS. HEARD: The one was from last.

3 MR. SANTORELLI: I still have to take  
4 it. Is it in the email?

5 MS. DEGENARO: Are you getting it?

6 MR. SANTORELLI: I am getting it now.

7 MR. IRENE: You will forward it to  
8 everyone?

9 MS. DEGENARO: Yes.

10 MR. VENEZIA: We just have to say yes,  
11 we reviewed this.

12 MR. IRENE: I gave you a certification.  
13 Chris Ann will bring them in. You could sign  
14 off on that and if the DEP comes knocking,  
15 she'll have it.

16 MR. SANTORELLI: Chris Ann, you are  
17 going to resend?

18 MS. DEGENARO: Yes. The link or the  
19 certification?

20 MR. IRENE: If they are separate, I  
21 thought they were all on one email. If they are  
22 separate, send both of them. If you have a  
23 problem, call me and I will send them.

24 MS. HUGHES: I have another comment.  
25 Has everyone done their financial disclosure

1           that is due April 30th?

2                   MR. IRENE: Yeah, you have to do it, if  
3           you didn't.

4                   MR. SCHULZ: If you didn't, Lori is very  
5           helpful.

6                   MS. HEARD: But if you don't do it, you  
7           are very likely to get a fine.

8                   MR. STOHL: It is like a \$250 fine.

9                   MS. HEARD: You may want to, if you  
10          haven't yet, print the certification page  
11          saying. Last year, I guess, like in December  
12          they came back and told me I didn't do my  
13          certification and they were going to hit me with  
14          the fine, but I had a page, nope, I am done.  
15          Screen shot or something.

16                   MR. IRENE: Lori should have sent you  
17          each the reminder. Once you've done it once,  
18          once you log in again, it usually brings all of  
19          your stuff right up. If nothing has changed,  
20          you can kind of click through and verify and do  
21          it. Yeah, the storm water training email was  
22          June 10 of 2018. So, again, Chris Ann, if you  
23          have it, if you can forward with that  
24          certification send me an email and then I will  
25          forward it.

1 MS. DEGENARO: Okay. Got it.

2 MR. IRENE: You just want to do that so  
3 you don't forget.

4 MR. IRENE: Motion to adjourn.

5 (Whereupon, the hearing was adjourned  
6 9:34 p.m.)

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