

**The Borough of Mantoloking
Joint Land Use/Board of Adjustment
Minutes
Thursday, March 4, 2021**

A regular meeting of the Joint Land Use/Board of Adjustment was held this day via zoom. The following is a record of that meeting:

1. **CALL TO ORDER:** Chairwoman Jane White called the meeting to order at 6:31pm
2. **OPEN PUBLIC MEETING STATEMENT:** Chairwoman Jane White read the following statement:

This meeting is being conducted remotely by electronic means, during the COVID-19 State of Emergency and State of Public Health Emergency, as provided by NJSA 10:4-9.3. Electronic notice has been posted on the Board's Internet webpage and on the main access door of the building where the public would routinely attend in-person, viewable from the outside. In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Joint Land Use has been advertised in the manner provided by law.

3. **ROLL CALL:**

Present: Christine Beck, Robert McIntyre, Susan Laymon, Jane White, Denise Boughton, John Wesson, Betsy Nelson, Beth Nelson, John Conti, Joan Mattia
Absent: Steve Gillingham
Also Present: Joe Coronato, Board Attorney, Colleen Malvasio, Board Secretary, Larry Plevier, Board Engineer

4. **PLEDGE OF ALLEGIANCE:** Chairwoman Jane White lead the assembly with the Pledge of Allegiance.

5. **NEW BUSINESS:**

- A. **Jason & Kathryn O'Connor – 1087 Barnegat Lane, Block 24, Lot 36, Application #2021-001**
Variance Relief: In-ground swimming pool - rear yard setback, side yard setback, lot coverage

The Application: Betsy Nelson is recused from this application since being within 200' of this property. Joe Coronato swore in the applicants, Kathryn O'Connor and Jason O'Connor whom are representing themselves. Also present is Robert Burdick, PE, Planner and Engineer. Mrs. O'Connor explained her pool variance application with exhibits which were provided with the application. She explained her concerns for not placing the pool closer to the 1st story deck and further explained since the pool is on the easterly side of the dwelling, there is approximately fifteen (15) feet of state-owned property between Route 35 and their fencing. Mr. Burdick further explained the application as the engineer.

Questions and Observations: Questions, concerns and statements were made by the board members and professionals during the presentation relating to the size of the pool, the setbacks and the proximity of the pool to the deck and/or stair landing.

The Public: Joe Coronato opened the meeting to the public for public comment. Seeing none public comment was closed. All present were in favor.

Closed Session: Board members discussed the application, the O'Connor's testimony, and Mr. Burdick's testimony in order to reach their decision. The board decided the pool was not a detriment to the public health

and was appropriate given the size of the applicant's yard. A motion was made by Jane White and seconded by John Wesson to move to approve the application in whole. All present were in favor.

6. BOARD DISCUSSION:

- A.** Approval of meeting minutes for January 2021 & February 2021.
A motion was made by Jane White and seconded by Susan Laymon. All present were in favor.
- B.** Various zoning ordinance recommendations:
- 30-2.2, Definitions
 - Addition to ordinance 30-4.9(j), Decks, requiring an as-built plan for at-grade decks upon completion.
 - Addition to ordinance 30-4.19(d), Hardscaping, requiring an as-built plan upon completion.
 - Addition to ordinance 30-5.3(f), Application Procedure.
 - Addition to ordinance 30-5.9(h), As-Built Plans.
 - strikeouts to ordinance 30-6.11(a)5, to remove the permitting of habitation on a boat
 - strikeouts to ordinance 30-6.11(a)9, to remove the permitting the use and storage of an RV
 - Changes to ordinance 30-6.11(b)3,5,6,8,10, Accessory Use and Accessory Structures, allowing 2 roofed accessory structures on a given lot or combined lots.
 - Strikeouts to ordinance 30-6.11(b)11, to remove swimming pools as an accessory structure and/or building
 - Addition to ordinance 30-6.11(h)1, swimming pools will not be considered an accessory structure
 - changes to ordinance 30-6.13(j) & (k), Fences, changed to limit amount of fencing to 16 linear feet within a 12-month period also requiring a final inspection.
 - Changes to ordinance 30-6.12(d), Building Height & Roofs and also discussion of roof pitch of the non-principal roof.

A motion to approve of the zoning ordinance recommendations to be sent to Mayor and Council for review was made by Jane White and seconded by Susan Laymon. All present were in favor.

- C.** The board members were in agreement the subcommittee needs to meet to discuss code section 30-6.11(a)4; to allow RV's in a specific class.

7. PUBLIC COMMENT: There being none.

8. ADJOURNMENT: There being no further business, a motion was made by Jane White and seconded by Christine Beck to adjourn the meeting at 7:41pm. All present were in favor.

Respectfully submitted,

Colleen Malvasio