

WHEREAS, the Applicant discussed the generator installation with his neighbors and determine the best place to place the generator was the rear yard; and
WHEREAS, the Applicant's Engineer, Charles Lindstrom, discussed the generator installation, the neighbors' concerns with sheilding, and determined the best place to locate the generator was the rear yard; and

WHEREAS, the Planning Board of the Borough of Mantoloking was satisfied that the Applicants, Thomas and Lori Williams , is complete and the Board determined that the Applicant's variance relief pursuant to *N.J.S.A. 40:55D-46* and *N.J.S.A. 40:55D-50* were found to be sufficient as to style and design, and the Board approved the Applicant's request; and

WHEREAS, the utility platform for the generator shall be located within six (6) inches from the principal structure and the proposed platform is located as a stand alone structure within the rear yard is due to conditions of the lot which constituted a hardship in accordance with *N.J.S.A. 40:55D-70(c)(1)* and *(c)(2)*; and

WHEREAS, per section 30-6.11.b.7.(a) of the Mantoloking Code, the utility platform for the generator shall be located within the building envelope for the principal structure which for the subject lot has a fifty (50) foot street rear yard setback and the applicant is proposing a utility platform for an emergency generator at 16.6 feet from the rear property line within the street rear yard setback which constitutes a hardship in accordance with *N.J.S.A. 40:55D-70(c)(1)* and *(c)(2)* and given the uniqueness of the property, better serves the adjacent neighbors; and

WHEREAS, the per section 30-6.8 of the Mantoloking Code, the lot coverage for the subject parcel is 4,543 square feet and the subject property has an existing condition of 4,695 square feet of lot coverage and the applicant proposes lot coverage of 4,729 square feet which constitutes a hardship in accordance with *N.J.S.A. 40:55D-70(c)(1)* and *(c)(2)*; and

WHEREAS, the Board heard testimony from the Applicant's neighbor, Michael Calaiacovo, who supported the location of the platform and generator due the possible location near the property line and associated noise; and

WHEREAS, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Borough of Mantoloking.

NOW, THEREFORE, BE IT RESOLVED, by the Mantoloking Planning Board, in the County of Ocean and State of New Jersey, on the 7th day of July 2022, upon a motion made by Christine Beck and seconded by John Conti, that the application of Thomas and Lori Williams be granted, subject to the following terms and conditions:

1. The Applicant shall be bound by all exhibits introduced, all representations made, and all testimony given before the Board at its meeting of July 7, 2022.
2. The Applicant shall provide all required Site Performance Bond, Inspection

Fees, and professional review fees in accordance with the Municipal Ordinance, if required.

3. The Applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality's and State's affordable housing regulations; and the Applicant shall comply with any requirements or conditions of such approvals or permits.
4. The Applicant must comply with the Development Fee Ordinance of the Borough of Mantoloking, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.
5. The Applicant is required to provide for any and all of the regulatory approvals required by law including, but not limited to the Ocean County Planning Board, if required.
6. The applicant shall provide shop drawings, cut sheets, and/or manufacturer's specifications to the Board Engineer for review and approval for the proposed generator.

Publication of a notice of this decision will be published in the official newspaper of the Mantoloking Planning Board at the cost of the Applicant.

ADOPTED this **4th** day of **August 2022**.

VOTE ON ROLL CALL:

| IN FAVOR: Christine Beck, , Garret Vreeland, Joan Mattia, John Conti

OPPOSED: Denise Boughton, Beth Nelson, Betsy Nelson

| NOT- PRESENT: John Wesson, Brett Radi, Robert McIntyre, Susan Laymon

CERTIFICATION

It is hereby certified that the attached is a true copy of the Resolution for Application #2022-006_, approved on July 7, 2022 and duly adopted as to form by the Mantoloking Planning Board and memorialized at its reorganizational meeting held on August 4, 2022.



Beth Nelson
Chairwoman
Borough of Mantoloking
Planning Board



Vanessa Faljean
Secretary
Borough of Mantoloking
Planning Board