

Present: Bell, Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella,  
Martinelly, Siciliano  
Donato (Attorney)  
Cranmer (Engineer)  
Absent: Carroll

All saluted the flag, and the presiding officer's statement was read.

**Reorganization meeting for 2011:**

Ms. Donato gave the oath of offices for 2011:

Mr. Burden  
Mr. DeNofa  
Mr. Bell  
Mrs. Siciliano

A motion was made by, Mr. DeNofa, seconded by Mrs. Siciliano nominating Mr. Teller as chairman pro tem for the purposes of reorganization of the Planning Board for 2011, with no other nominations, all approved.

Mr. Bell announced that a letter was received from Mr. Moran resigning from the Planning Board and thanked everyone for all of their cooperation during his reign on the Planning Board.

**REORGANIZATION FOR 2011:**

**ELECTION OF CHAIRMAN:**

A motion was made by, Mr. Teller, seconded by Ms. Martinelly, nominating Mr. Bell as Chairman for 2011, with no other nominations.

Roll Call:

Affirmative: Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella, Martinelly,  
Siciliano

Negative: None

Abstained: Bell

Mr. Bell took the seat as Chairman.

Mr. Bell reminded the board that some time in 2011 he will be moving; he wanted the information on the record.

Mr. Bell welcomed Mr. Burden & Mr. DeNofa to the board

**ELECTION OF VICE CHAIR:**

A motion was made by, Mr. Teller, seconded by, Ms. Martinelly nominating Ms. Waterbury as Vice Chairman for 2011 with no other nominations.

Mrs. Siciliano asked if Ms. Waterbury can be both the Chairman of the Zoning Board and Vice Chairman of the Planning Board? Ms. Donato said yes as long as she is a Class II member and not an Alternate.

Roll Call:

Affirmative: Bell, Burden, DeNofa, Derasadourian, Teller, Gardella, Martinelly,  
Siciliano

Negative: None

Abstained: Waterbury

**ELECTION OF SECRETARY:**

A motion was made by Mr. DeNofa, seconded by, Ms. Siciliano nominating Mr. Teller as Secretary for 2011, with no other nominations.

Roll Call:

Affirmative: Bell, Burden, DeNofa, Derasadourian, Waterbury, Gardella, Martinelly,  
Siciliano

Negative: None

Abstained: Teller

**APPOINTMENT OF BOARD ATTORNEY for 2011:**

A motion was made by, Mr. Teller, seconded by, Mrs. Siciliano nominating Ms. Donato as Board Attorney for 2011 with no other nominations.

Roll Call:

Affirmative: Bell, Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella,  
Martinelly, Siciliano

Negative: None

*Ms. Donato will prepare a Professional Service Contract for next month*

**APPOINTMENT OF BOARD ENGINEER:**

A motion was made by, Mr. Teller, seconded by, Mr. DeNofa to appoint Mr. David Cranmer, Cranmer Engineering as the engineer to the Planning Board for 2011. All approved.

**APPOINTMENT FOR CRANMER ENGINEERING FOR COMPLETENESS:**

A motion was made by Ms. Waterbury, seconded by Mrs. Siciliano to deem Mr. Cranmer as the official to deem an application complete. All approved.

**APPOINTMENT OF BOARD SECRETARY:**

A motion was made by, Mr. Gardella, seconded by, Mr. DeNofa nominating Ms. Kelleher as Board Clerk for 2011.

Roll Call:

Affirmative: Bell, Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella,  
Martinelly, Siciliano

Negative: None

**Appointment of Official advising applicant of Completeness**

A motion was made by Mr. DeNofa, seconded by Ms. Martinelly nominating Ms. Kelleher as the official to advise the applicant of completeness for 2011, with no other nominations. All approved.

**APPOINTMENT OF PLANNER:**

A motion was made by Mr. DeNofa, seconded by Ms. Derasadourian appointing Mr. David Cranmer, Cranmer Engineering as the Planner for 2011 with no other nominations.

Roll Call:

Affirmative: Bell, Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella,  
Martinelly, Siciliano

Negative: None

**FIXING TIME & PLACE, NEWSPAPER, & POSTING OF AGENDAS:  
FOR MEETING FOR 2011**

A motion was made by, Mr. Teller, seconded by, Ms. Waterbury;

- that the meetings be set on the 3rd Wednesday of the month, @ 7:30 p.m, with an alternative 2<sup>nd</sup> Thursday or 4<sup>th</sup> Thursday except for November to be held on November 10, 2011 due to the convention, and January reorganization will be held on January 19, 2011 @ 7:00 pm. All approved.
- meetings to take place in Municipal Building as listed. All approved.

**DESIGNATION OF OFFICIAL NEWSPAPERS:**

A motion was made by Mrs. Siciliano, seconded by Ms. Waterbury designating the Asbury Paper Press & Two River Times as the official newspapers. All approved.

**DESIGNATION OF OFFICIAL PLACE FOR POST AGENDAS:**

A motion was made by Mrs. Siciliano, seconded by Mr. DeNofa designating the bulletin board in the Municipal Building as the official posting place with Borough Website as an additional posting place for posting agendas for 2011. All approved.

**REVIEW OF PLANNING BOARD POLICY:**

A motion was made by Mr. Teller, seconded by Ms. Waterbury to approve the Policy of the Planning Board. All approved.

A motion was made by, Mr. DeNofa, seconded by, Mr. Teller to adjourn the reorganization meeting, and to open the regular meeting of the Shrewsbury Planning Board @ 7:23 pm.

**Mr. Bell called the regular meeting to order @ 7:30 pm.**

Present: Bell, Burden, DeNofa, Derasadourian, Teller, Waterbury, Gardella,  
Martinelly, Siciliano  
Donato (Attorney)  
Cranmer (Engineer)

Absent: Carroll

**Minutes:**

A motion was made by Mr. Teller, seconded by Ms. Waterbury to approve the minutes of the December 15, 2009, as amended. All approved Abstained: Burden, DeNofa, Siciliano

**Correspondence:**

- Financial Disclosure Statements handed out
- Reminder about the required educational course will be @ Brookdale, March 26, 2011 every member has 18 months to fulfill the obligation to attend if any member has not attended or you wish to take another course please contact the Board Secretary. Members will be notified if you are required to attend.

**Planning Board Business:** Hold until the end of the meeting

**New Business:**

**Mr. Richard Doelger:**

481 Sycamore Ave  
Bl: 30, Lot: 2

**Certificate of Appropriateness**

roof over deck

Mr. Richard Doelger, 481 Sycamore Ave advised that he is seeking a Certificate of Appropriateness for a new roof over his existing deck which was destroyed by the blizzard in December. Mr. Doelger presented 3 pictures showing the damage that was caused.

- #1 picture from the back of the house and the collapsed roof. The existing material is corrugated plastic
- #2 closer view of the collapsed roof
- #3 shows the ceiling over the deck that has been damaged

Mr. Doelger advised that he will be replacing the corrugated roof with charcoal asphalt shingles, which would replicate the roof on the main house.

Mr. Bell asked what the actual posts of the structure will be? Mr. Doelger explained that there is no damage to the deck itself or to the supports. The only thing that was damaged was the roof. The existing posts will remain, but there will be some replacement of the wanes coatings on the ceiling, the damage is shown in photo #3.

There was some discussion on the pitch of the ceiling and how it would be constructed, and what type of shingles he would use.

Mr. Doelger presented a sample of the proposed shingles he will be using, Timberline Company, 3 dimensional, 3 tab shingle, charcoal color, 30 year, which he explained he used on the main house. He explained that the builder will be replacing a small ceiling area which extends to the right side of the porch with new wanes coating in like.

Mr. Bell referred to the opened “lean to” roof; he asked if it is his intention to construct a “skirt” on the sides of the roof? Mr. Doelger said no, there wasn’t one there originally and he doesn’t feel that it would add anything to the property. Mr. Bell referred to the schematic of how the roof would be constructed, and he said that he has a concern with the “lean to” design vs. something that would be built earlier and look like it is part of the house.

Ms. Donato asked if the deck and/or the roof are visible from the public street? Mr. Doelger said that it is not, but it is visible from adjacent properties.

Mr. Doelger asked Mr. Bell what would be the problem with a “lean to” roof? Mr. Bell said from his personal perspective he doesn’t feel that it would be in character with the houses in the historic area, and the skirt would control what his neighbors see.

Mr. Burden asked Mr. Cranmer if a “skirt” would add any strength to the roof? Mr. Cranmer said no, it would be decorative.

Mr. DeNofa asked what type of shingles are currently on the house? Mr. Doelger said he has cedar shake shingles and a small area of the house there is clap board. Mr. DeNofa asked if it would be a hardship to match the skirt with the existing siding, if so, he would suggest no skirt be added. Mr. Bell asked when was the last time he replaced any of the siding? Mr. Doelger said he hasn’t, and the siding is 10”, and the house shingles are very old. The way the proposed roof is going to be constructed and by adding a skirt it would only be a 2’ area maximum.

Ms. Martinelly asked he would have difficulty finding it? Mr. Bell said no, and he would like to see a skirt with matched siding so it looks like part of the house, rather than something that has been added.

Mr. Bell asked what is the consensus of the board requiring a skirt to be added to the ends? Mrs. Siciliano said that if you cannot see it from the street, and to put the extra burden on the homeowner to find and match 100 year old shingles is uncalled for. Mr. Bell doesn’t feel that it would be a “big deal” to find shingles, they won’t match perfectly. Ms. Martinelly feels that the neighbors will be thrilled that the corrugated roof is gone, and would be an improvement.

A motion was made by Mr. DeNofa, seconded by Mrs. Siciliano to approve the Certificate of Appropriateness to Mr. Richard Doelger as drawn and shown with 30 year Timberline, charcoal shingles, without the skirt.

Roll Call:

Affirmative: Burden, DeNofa, Derasadourian, Waterbury, Gardella, Gardella, Siciliano

Negative: Bell, Teller

**Resolution 2/16/2011.....**

Letter will be sent to the Construction Department advising the Certificate was approved.

Mr. Bell said that he voted no, he doesn't feel that it would be hardship to put the same amount of cedar shakes or clapboard on a skirt, he feels that a lean to roof on the back of the house is not in conformance with what would have been there 100-200 years ago, and he feels that it would not be something that the board would approve if it was new property.

Mr. Teller feels that the homeowner will feel that it is going to look unfinished and do it himself.

Ms. Waterbury doesn't feel that the roof looks very flat and is not really sure as to how much of a skirt you are going to see, and voted yes, if it was a steeper roof she would vote for the skirt to tie the roof into the house more.

Mr. Gardella feels that the house is kept in very nice shape and there isn't any reason to.... inaudible.

**Article X:**

Article X was reviewed by the board. Ms. Donato explained there may be a pending impact on the Time of Decision Legislation which will take affect in May 2011, which would change on how a Municipality can change an Ordinance. The board has decided to look at what could be an impact on the Municipality if there was something that was overlooked in the Ordinances. In terms of the uses and bulk standards they have not been changed in a long time. She has accumulated some problems which exist which one of them is the definition of building height. The committee met and she incorporated all of the feed back in the chart that has been given out. A number of issues have been addressed and she feels that each one needs to be reviewed.

Mr. Bell supplied definitions of height from several surrounding towns.

Ms. Waterbury explained to the new members why the Zoning Board had concerns with regard to the building height of single family homes. The recommendation of the Zoning Board was to have the height of a gable roof be measured to the ridge of the gable, and if the height needed to be higher then a variance could be applied for. She feels a simple calculation from a simple reference to the ridge, so it's easy to explain to a homeowner. Ms. Donato said that she would not recommend using the crown of the street, since the crown of the street could be set high for flooding area, the starting point should be started at the preexisting grade. Mr. Cranmer said that we do not have any low lying properties that could be filled by 6-8'.

Mr. Bell feels that the ridge of the roof is easy and everyone understands the ridge of the roof. There should be some allowance a plus or minus to allow a reasonable development, no more than 2' above or below the existing grade. Since the bulk of the town is smaller properties he feels that the existing homes should be taken into

consideration when approving the height of new construction. Mr. Cranmer explained that the height definition would apply to both residential and commercial uses.

Ms. Waterbury feels that the change of grade of more than 18" should be required to go to the board. Mr. Cranmer said that if a Soil Removal Permit (dirt in or out) is applied for of more than 10 cubic yards a grading plan should be approved by the Borough Engineer.

Mr. Bell stated that the "light and air" of surrounding properties need to be taken into consideration. Mr. Cranmer said that it could be made a function of the side yard set backs, maximum height of 35' in the zoning standards, definition would remain unchanged. Ms. Siciliano said that Little Silver has an Ordinance for that, could we get a copy of that? Ms. Donato this is an issue that has not been identified but would require more thought as to the design implications and would need some input from Mr. Cranmer in terms of the design implications.

Ms. Donato listed the following issues that need to be reviewed and asked for a consensus:

- The beginning point of the measurement of height, there is existing grade (+ or - 2') or existing grade (+ or - 18").
- The top point would be the ridge of the roof.

Mr. Cranmer feels that the plus or minus becomes cumbersome. The existing grade or a proposed grade approved by the Planning or Zoning Board. He would like to see it tied to the existing grade because it is easy to establish. Starting point would be the existing grade, proposed structure, taking the corner that results in the largest building highest dimension; and that is the number that controls.

Mr. Cranmer pointed out that if there is a height variance that exceeds the height by more than 10%, it would become a "D" variance and would go to the Zoning Board. The Planning Board would only see a height variance that is less than 10%. Ms. Donato stated that it would be 10' not 10%.

Ms. Donato asked Mr. Cranmer what is his recommendation? Mr. Cranmer said that it would be to use the existing grade and that the building height be measured from the existing grade to the peak of the ridge line of the roof, at the corner or portion of the structure that results in the maximum building height dimension.

Mr. Bell, a property that slopes 2' down from the front to the back, the definition of the height of the house would be in the back of the house, if the house sloped 2' from the front going up hill to the backyard you would measure from the front of the house or taking the worse case, the lowest point around the structure to the top of the ridge.

Ms. Donato summarized:

**The building height is measured from the existing grade to the ridge of the roof, measured from the existing point around the structure that has the lowest elevation or to add 2+ or minus 2', but Mr. Cranmer doesn't like that it because it becomes to cumbersome or to add 18" or minus 18"**

Mr. Cranmer said the adding or minus puts a zoning element into the definition section, we may want in the R3 zone, an 18" differential where in R1 you may not mind a 2' differential. He feels that may be better served in the bulk standards of each zone. In the non residential zones you may not care one way or the other. Ms. Waterbury agreed.

Ms. Donato asked for a consensus, and all board members agreed on:

**The building height is measured from the existing grade to the ridge of the roof, measured from the existing grade or from a proposed grade which may be permitted in other sections of the Ordinance.**

There was a discussion on wind turbine being an inherently beneficial use. Ms. Donato said that would not be a structure, but a customary & accessory, and there has been an amendment to the law stating that "alternate energy facilities are inherently beneficial", and allowing the property owner to go to the zoning board with a liberal standard for getting relief as an inherently beneficial use. It would not be addressed in this section because it is not a building it's a structure.

Mr. Bell said that if the wind turbine is 60' in height how that would be applied under the current ordinance. Ms. Donato said that if it exceeds the 10% or 10' higher than the Ordinance allows it would then be a "D" variance, and it would be based on the liberal standard of an inherently beneficial use from approximately a year ago.

**94-10.3: (3) - Prohibition of sales on new and used vehicles:**

The use would have to go before the board for a variance, except in the HCPO zone. Ms. Donato said that the HCPO Zone states that a sales office must be inside, but it doesn't prohibit the outdoor sales.

Mr. Cranmer feels that the board should remove "the prohibition of outdoor sales of new and used vehicles in Section 10.3, Ms. Donato suggested on page 2 paragraph 3 to **include "the outdoor sales of used vehicles not associated with a new vehicle dealership", that would be prohibited.**

**94-10.6: Adult Bookstores:**

After a board discussion it was decided to allow the use of adult books stores, peeps show or related stores to only on Shrewsbury Ave LI Zone portion, between Sycamore and Broad St.

**94-10.8: Massage parlors:**

Ms. Donato suggested "massage parlors that do not comply with Chapter 167 Adopted October 16, 2006.

**94-10.10: Restaurants:**

After discussion it was agreed that restaurants will be allowed in the B2 zones (Shrewsbury Plaza and The Grove) with certain limitations, no through and limited the hours of operation to 10:00 pm and prohibited in all other zone.

**94-10.12 - Flea Markets:**

After a discussion board members agreed to prohibit the flea market concept, increase on the traffic & Police Department **“A market held in the open area or structure where groups of individual’s sellers offer goods for sales to the public”**

**94-10.4: - 5 : permitted uses in Residential Zones:**

page 10: Subsection 4: **eliminate cultural buildings**

**94-10.4: - 5 : eliminate: carnivals, fairs, bazaars**

**94-10.4: -7:** Community residences for the developmentally disabled.

After a brief discussion it was recommend to include this classification in the permitted uses.

**94-10.7 - B: Village Center for Broad Street:**

Mr. Thom Thomas prepared an Ordinance for Village Center  
Currently to rebuild a residence in the B1 Zone is prohibited - but they can be rebuilt  
Mrs. Siciliano will forward copy of the language and Ms. Donato will incorporate into the revisions.

Ms. Donato asked if residences should be permitted in the B1 zone, since there is a contradiction for residences to exist in the B1 zone. After board discussion it was decided to allow residences in the B1 zone.

**94-10.9 B2 Shopping/Office Centers:** delete “add restaurants and houses of worship as permitted uses”

**94-10.9.A.(2) HC/PO** - change to read: *....New and used automobile sales of new motor vehicles with used motor vehicles as access sales only and only if located on the same lot as the new motor vehicles sales exist.*

**94-10.10 P-1 (Professional):** single family detached dwelling listed as a permitted uses, and the rest of section leave as is or as discussed.

**94-10.11 a: LI (Light Industrial):**

no decision made on this section to eliminate any of the permitted uses, suggestions should be forwarded to Ms. Donato.

Ms. Donato feels that this review gets the board through the first round of reviews for the response to the "Time of Decision" deadline of May. Then we can go through the Codification process.

Mr. Bell asked when will the board be able to vote on these amendments? Ms. Donato said that she will have the amendments done for the February meeting.

Mr. Bell referred to the LI - he feels that certain uses should be eliminated and other uses that are potential uses that could be turned over to another manufacturer i.e. asphalt plants, and if it's a permitted use it could be an approval use, or even a junk yard do we want to have that type of use. Ms. Donato said that all of the uses cannot be eliminated, but some need to be looked at.

After a brief discussion it was decided to move the February meeting to **February 24, 2010**, conditioned upon the room being available.

A motion was made by Ms. Waterbury, seconded by Mr. DeNofa to change the meeting date for February to February 24, 2011 if the room is available. All approved.

Ms. Waterbury asked if the Development Checklist is going to be reviewed at the next meeting? Mr. Bell asked that the item be placed on the next **agenda for review 2/24/2011**

A motion was made by Mr. DeNofa, seconded by Mr. Burden to open the meeting to the public. All approved.

No audience in attendance

A motion was made by Mr. Burden, seconded by Mr. Teller to close the meeting to the public. All approved.

A motion was made by Mr. Gardella, seconded by Mr. DeNofa to adjourn the meeting at 10:29 pm. All approved.