

**BOROUGH ALLENHURST  
PLANNING BOARD**

**RESOLUTION No. 4-21-2021 (1)**

Whereas, Helder and Nancy Mendonca, the record owners of the property has applied to the Planning Board of the Borough of Allenhurst to Appeal a Stop Work Order and for an Certificate of Appropriateness at the premises located at 222 Cedar Avenue, Borough of Allenhurst and known as Block 4, Lot 11 on the official tax map of the Borough of Allenhurst which premises are located in R-1 Zone. The consideration of the appeal, Certificate of Appropriateness and proposed improvements require Planning Board and Historic Preservation approval.

The Applicants propose the following: (1) replacement of the porch columns and decking, porte-cochere piers, new windows and exterior finish on the house and garage; (2) enlarge the existing dormer, enclose the existing covered rear porch and to expand the basement walk-out on the rear of the house; (3) Garage – no changes proposed to existing 334 square foot garage. Renovate to match existing with new white cement board siding, existing doors and windows to be replaced with new; and (4) improvements to the existing basement.

The Applicant also appeals a stop work order for the subject property.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
2. The Applicant was represented by Paul Fernicloa, Esq.
3. The Applicant presented the testimony of Jonathan Wolfe, New Jersey licensed architect.
4. The Applicant presented the following exhibits:
  - A-1 Planning Board Application.
  - A-2 Survey dated 10/30/20.
  - A-3 Architectural plans dated 2/5/21.
  - A-4 Existing garage and south elevation dated 3/4/21.
  - A-5 List of neighboring property owners.
  - A-6 Enlarged sheet A5 of Exhibit A-3.

A-7 Enlarged sheet A6 of Exhibit A-3.

A-8 9 photographs of residences in the Borough and one from Loch Arbour.

B-1 Avakian review letter dated 3/10/21.

5. It has been determined that Applicant's proposal requires a Certificate of Appropriateness.
6. The permitted minimum lot area is 14,000 sf. Existing is 10,500 sf which is non-conforming. There is no proposed change.
7. The permitted lot frontage is 100 ft. Existing is 75 ft which is non-conforming. There is no proposed change.
8. The permitted lot width is 100 ft. Existing is 75 ft which is non-conforming. There is no proposed change.
9. The permitted maximum impervious coverage is 40% (4,200 sf). Existing is 44.3% (4,657 sf) which is non-conforming. There is no proposed change.
10. The permitted building height is 2 ½ stories/35ft. Existing is 3 stories/38.5 ft which is non-conforming. There is no proposed change.
11. The permitted maximum porch projection is 10ft. Existing is 12.35 ft which is non-conforming. There is no proposed change.
12. The permitted minimum rear yard setback for the garage is 3.5 ft. Existing is 1.8 ft which is non-conforming.
13. The permitted minimum driveway width is 9ft. Existing is 7.8ft which is non-conforming.
14. Ordinance 26-4.4.g.4 requires no garage door shall be wider than 10 ft. The Applicant proposes to replace the existing garage door which is 12 ft.
15. The Applicant has offered/agreed as follows:
  - a. The new columns and front porch railings to emulate the historic design of the building.
  - b. Railing heights to match existing.
  - c. Spindle spacing will remain same as existing.
  - d. Applicant will provide details for spindles, columns and railings which will be subject to review and approval by the Board's professionals.
  - e. Windows will be replaced in-kind.
  - f. Vinyl siding will be replaced with cement boards.
  - g. Decking will be wood composition material.

- h. Rails will be wood composition material.
- i. Lattice will be replaced in-kind.
- j. Piers will be brick.
- k. There will be four recessed lighting fixtures in the porch ceiling. Light will not go onto adjoining properties.
- l. Side stairs at port-cochere will reintroduce new bottom treads contained within porch and will not stick out.
- m. There will be uniformity of windows on 1<sup>st</sup> floor on dining room level.
- n. The transom will be preserved on the 2<sup>nd</sup> floor.
- o. The windows on the 3<sup>rd</sup> floor will match existing windows.
- p. Siding on garage will be replaced in kind to match home.
- q. Slight reduction of driveway width and meet the garage.
- r. Front walkway will be same dimensions, replaced with blue stone tread.
- s. Applicant has agreed to withdraw the proposed fireplace and wet bar in the basement. Applicant noted that the basement is currently unfinished and has no shower.
- t. Applicant has agreed that no bedrooms or shower facilities will be constructed in the basement.
- u. Applicant agreed to install Yankee Gutters on the octagonal front porch.
- v. Applicant will provide details with regard to the driveway and mechanical locations which will be subject to review and approval by the Board's professionals.
- w. The frames and sashes will have black trim.

13. The Applicant withdrew its appeal of the Stop Work Order as same is moot as building permits were applied for.

Whereas, the Board has determined that the plans and associated representations of the Applicant meet the requirements necessary for the issuance of a Certificate of Appropriateness and meets the historical guidelines as codified in section 26-11 of the Borough of Allenhurst.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 17<sup>th</sup> day of March 2021 that the Certificate of Appropriateness is approved subject to the following conditions:

- (1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process in connection with this Application and, where consist with this approval, at previous hearings before this Board.

- (2).The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters referenced above revised through 3/10/21.
- (3).A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- (4).The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5).The Applicant shall obtain all approvals necessary for this project.
- (6).The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes
- (7). Any future improvements will require Planning Board Approval.
- (9) The timing requirements set forth in Section 25-3.19 of the Allenhurst Borough Code applies to the granting of Certificate of Appropriateness and/or Variance(s) relief.
- (10) The Board's Professionals shall have oversight and approval for those items noted above.

As to the approval of the Certificate of Appropriateness:

Moved by: Commissioner McLoughlin

Seconded by: Adjmi

#### ROLL CALL VOTE

Those in favor: Horowitz, Chairman Costello, Mayor McLaughlin, Commissioner McLoughlin, Adjmi,

Those opposed: none

Those recused: Tomaino, Varley

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 21st day of April, 2021 that this Resolution be adopted.

Moved by:

Seconded by:

ROLL CALL VOTE

Those in favor:

Those opposed:

Those absent:

Those not voting:

The foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of Allenhurst at its meeting on the 21<sup>st</sup> day of April, 2021.

As copied from the minutes  
Of said meeting

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Kelly Barrett  
Secretary, Planning Board  
Borough of Allenhurst, N.J.