

**BOROUGH ALLENHURST  
PLANNING BOARD**

**RESOLUTION NO: 6-16-2021 (1)**

**308 Spier Avenue  
CERTIFICATE OF APPROPRIATENESS**

Whereas, Joseph Sabbagh, the record owner of the property has applied to the Planning Board of the Borough of Allenhurst for a Certificate of Appropriateness at the premises located at 308 Spier Avenue, Borough of Allenhurst and known as Block 13, Lot 6 on the official tax map of the Borough of Allenhurst which premises is located in the R-2 Zone. The proposed improvements require Planning Board approval.

Initially, the Applicant sought approval to replace the existing garage doors, addition and construct a covered porch along the southeasterly part of the home. Ultimately, at the final hearing the only issue before the Planning Board was the approval of the proposed garage doors. The application for the addition and covered porch were withdrawn by the Applicant.

Hearings for this matter was held on: 5/19/21, 1/20/21 and 8/19/20.

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 presented the testimony of himself.
3. The Applicant was represented by Jessica Sweet, Esq.
4. The Applicant presented the testimony of Cathy Zuckerman, a New Jersey licensed architect.
5. The Applicant presented the testimony of Matthew DuBois, a New Jersey licensed engineer.
6. The Applicant presented the following exhibits:

A-1 Application dated 6/21/18.

A-2 Notice.

A-3 Survey dated 3/16/15.

A-4 Street level photograph.

- A-5 Letter with attachments dated 7/20/20.
  - A-6 Architectural plan last revised 7/15/20.
  - A-7 Lawn, sump and drainage plan.
  - A-8 Existing and proposed architectural plans dated 1/6/21.
  - A-9 Nelson Engineer Drainage study dated 1/4/21.
  - A-10 Plot and drainage plans dated 1/4/21.
  - A-11 Rear Yard Spot Grade Plan dated 12/2/20.
  - A-12 Series of photographs of existing conditions.
  - A-13 Notice
  - A-14 Notice of service.
  - A-15 Letter dated 3/16/21.
  - B-1 Leon S. Avakian Report dated 8/17/20.
  - B-2 Leon S. Avakian Report dated 1/13/21.
  - O-1 8/24/07 Plot Plan
  - O-2 Document (unspecified in record)
  - O-3 Resolution dated 2/15/06. Ms. Sweet represented that the only issue before the Board is the replacement of the garage door. All other aspects of the application were withdrawn.
8. The garage door will be a functional bifold garage door. The doors will fold inward.
  9. The garage will only be used for the storage of vehicles and/or other household items. The garage will be used for no purpose other than storage. It will not be used as a pool house/cabana.
  10. Ronald Gasiorowski represented the next-door neighbor who objected to portions of the Application.

Whereas, the Board has deemed that the granting of the Certificate of Appropriateness is warranted; and

Whereas, the Board has determined that the relief requested by the Applicant can be granted as it 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 19<sup>th</sup> day of May 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 held on 5/19/21, 1/20/21 and 8/19/20.
- (2). 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.
- (3). The Applicant shall obtain all approvals necessary for this project.
- (4). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes
- (5). Any future improvements will require Planning Board Approval.

As to the approval of the Minor Application:

Moved by: Costello

Seconded by: Mayor McLaughlin

#### ROLL CALL VOTE

Those in favor: Chairman Tomaino, Schechner, Mayor McLaughlin, Costello

Those opposed: Commissioner McLoughlin, Rogers, Varley

Abstain: Horowitz, Hochster

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Allenhurst on the 16<sup>th</sup> day of June, 2021 that this Resolution be adopted.

Moved by: Costello

Seconded by: Mayor McLaughlin

## ROLL CALL VOTE

Those in favor: Costello, Mayor McLaughlin, Chairman Tomaino, Schechner,

Those opposed: None

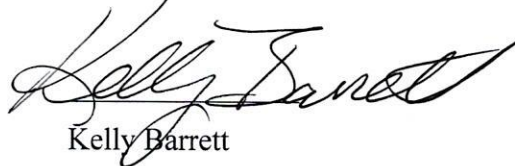
Those absent: None

Those not voting: Hochster, Rogers, Varley, Commissioner McLoughlin

The foregoing is a true copy of a resolution adopted by the Planning Board of the Borough of Allenhurst at its meeting on the 16<sup>th</sup> day of June, 2021.

As copied from the minutes

Of said meeting

A handwritten signature in cursive script, appearing to read "Kelly Barrett", written in black ink.

Kelly Barrett

Secretary, Planning Board

Borough of Allenhurst, N.J.