

February 15, 2017

A regular meeting of the Board of Adjustment was held in the Municipal Complex at 7:00 p.m.

Present	Also Present
Harvey Langer	John Miller, Esq.
David Chadwick	Brian Boccanfuso
Mike Jamnik	Tara Paxton
Dawn Marie White	Sean Kinnevy
Louis Sorrentino	Denise Sweet
Stephen Leitner	
Raymond Claudio	
Charles Anderson	

Absent

Frank Mizer

Mr. Langer led the salute to the flag; and the roll was called.

The Board Professionals were sworn in.

BA-2804- JSM at Brick

The applicant requested this application be carried to a later hearing date.

This application was carried to March 15, 2017. No further notice is required. The applicant waived the time.

BA-3010- Kathleen M. Ullrich

Mr. Andrews was present to represent Ms. Ullrich.
Kathleen Ullrich was sworn in.

The applicant proposed to construct a wood elevated deck, 12' X 29' 11" about 5 ' high with stairs and a railing. The home was raised due to damage from Super Storm Sandy. The Township Code requires a minimum rear setback of 15 ft. and a setback of only 4.7 ft. is proposed.

Mr. Kinnevy stated he had no problem with this application. I would not cause a detriment to the area.

Public portion closed

Factual Findings

Mr. Sorrentino- The site is in the R-7.5 zone. The deck will measure 12' X 29' 11" and will approximately 5 ft. high. This application will cause no detriment to the area and will have no impact on the neighborhood.

Ms. White- Concurred

Mr. Leitner- Concurred

Mr. Jamnik- Concurred

Mr. Chadwick- Concurred

Mr. Claudio- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-3010- Kathleen Ullrich. It was moved by Ms. White and seconded by Mr. Leitner. Mr. Sorrentino, Ms. White, Mr. Leitner, Mr. Jamnik, Mr. Chadwick, Mr. Claudio and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Mizer was absent.

BA-3012- Thomas Ambrosino

Judith Fairweather was present to represent Mr. Ambrosino.

Mr. Ambrosino was sworn in.

William Voeltz was sworn in.

The applicant renovated his home in 2008. The applicant is proposing an in-ground swimming pool, 12' X 26' with internal steps. The applicant also proposes to construct a rear elevated deck, 18' X 21' with full width steps.

The Township Code requires the pool to be setback at a minimum of 5 ft. from the rear property line and a setback of 1 ft. is proposed. The Township Code also requires the pool to be setback at a minimum of 15 ft. from the bulkhead and a setback of 1 ft. is proposed.

Mr. Ambrosino stated that he has 7 grandchildren that visit and there are so many jelly fish in the lagoon that they can't swim there.

Mr. Langer stated that he had a serious problem with the pool being too close to the home for fear that someone will try to jump in the pool from a window. He stated that other Townships did not allow a pool to be that close to the home by Ordinance. Ms. White asked why the applicant couldn't place the pool on the other side of the yard where there is more room.

Mr. Langer suggested that the applicant submit a revised plan and carry this application.

This application was carried to be heard at the March 1, 2017 meeting. No further notice is required.

BA-2993- The Law Offices of Kristen Johnson

Frank Baer was sworn in.

Tata Paxton arrived at the meeting and was sworn in.

EVIDENCE

A-2- Copy of a revised plan with a revision date of January 18, 2017

It was noted that no transcripts were order by the applicant and only 5 members on the Board were eligible to vote on this application. This application is a Use Variance and requires 5 affirmative votes.

Ms. Johnson asked the Board if this application could be carried until the Board members had time to read transcripts and be eligible to vote.

This application was carried to the April 5, 2017 meeting. No further notice is required. The applicant agreed to waive the time.

BA-3003- Main Street Tuckerton, LLC

Michael Landis was present to represent the applicant.

The applicant is seeking a Use variance to permit the construction of a 2 story mixed use building with a footprint area of 1,900 square feet. This is a bifurcated application whereby the applicant is only seeking a Use variance at this time, and accordingly no site plan improvements are currently proposed. However, the architectural plans depict the ground level of the proposed building and 4 separate garage bays, while the upper level of the building is showing to contain three 1 bedroom apartment units. The Use variance plan depicts 13 space curbed parking area with access to Drum Point Road, a concrete walkway around three sides of the proposed building, a proposed infiltration basin, and a proposed site identification sign near the frontage of the property. No new landscaping, lighting improvements or public improvements are depicted on the Use Variance Plan.

Charles Messano was sworn in.

John W. Lord was sworn in.

The applicant stated he purchased this property in 2015 and intended to remove the existing barn and house. He is proposing a 4 bay garage with an office and 3 apartments. The applicant is proposing to store tools and equipment in the barn and the 4 bays. Also proposed are three 650 square foot apartments.

The hours of operation will be 7:00 am to 5:00 pm. The applicant stated the bays will not be rented out. All equipment will be kept inside the building.

Mr. Lord stated that the bays will face the back of the site and the office will face Drum Point Road. The infiltration system will be located to the rear of the site. The property is located in the B-2 zone. It was noted that the site is across the street from the Osbornville School building. The surrounding area has mixed uses with residential and commercial.

Recess: 8:20 Meeting resumed: 8:30 p.m.

Mr. Lord stated that this is an odd shaped lot. The proposed building is relatively small for the size of the lot. The applicant intends to plant additional buffering. This concept is keeping with the area and will cause no detriment to the neighborhood or zoning.

The proposed building will appear to be a residential use. The shape of the lot which is an L shape limits the size of the useable space for the building. By demolishing the existing house and barn the applicant is improving the site. The additional landscaping will improve the street scape and upgrade the area. The drainage will be addressed on the site plan. Parking in the rear for the residents on the site is proposed. Small pick- up trucks entering the site will park to the front of the site. This proposal will cause little conflict with the school traffic. The applicant stated that he and his son will be the only employees on the site. Thirteen 9 X 18 ft. spaces are proposed on the site.

It was suggested that the use for the apartments may be replaced with another business on the 2nd floor. The applicant stated that the rent for the apartments would be approximately \$900.00 to \$1,000.00 a month.

Peter Luongo was sworn in. He stated that when the applicant purchased the property it was very noisy during the day.

Sharon Mileski was sworn in. She stated that when the applicant purchased the property there were vehicles all over the site and it was very noisy.

Nan Kull was sworn in. She suggested that having another business on the 2nd floor would be a good idea because the residents would keep an eye on the site.

The public portion was closed

Factual Findings

Ms. White- The property is located in the B-2 zone and is L shaped. The applicant is seeking a D Variance to allow multi-family use on the site. The applicant failed to provide testimony to allow the multi-family Use. This property is not suited to allow this use. There were comments from the audience. She would suggest denying this application.

Mr. Chadwick- The application would benefit the area.

Mr.- Jamnik- Concurred with Mr. Chadwick.

Mr. Leitner- Concurred with Ms. White

Mr. Sorrentino- Concurred with Ms. White

Mr. Anderson- Concurred with Ms. White

Mr. Langer- Concurred with Mr. Chadwick

A motion was made to approve case BA-3003- Main Street Tuckerton. It was moved by Mr. Leitner and seconded by Mr. Sorrentino. Mr. Chadwick, Mr. Jamnik, Mr. Sorrentino, Mr. Claudio and Mr. Langer voted AYE. Ms. White and Mr. Leitner voted no. Mr. Anderson was present but not voting. Mr. Mizer was absent.

A motion was made to approve the Vouchers as posted. It was moved by Mr. Leitner and seconded by Mr. Claudio. Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Claudio and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Mizer was absent.

A motion was made to adjourn the meeting at 9:30 p.m. All members voted AYE.

Respectfully submitted,

Christine Papa, Secretary
Planning Board/Board of Adjustment