

March 1, 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
Louis Sorrentino	Sean Kinnevy
Stephen Leitner	Denise Sweet
Raymond Claudio	

Absent

Frank Mizer
Carl Anderson
Dawn Marie White

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

The Board Professionals were sworn in.

BA-3012- Thomas Ambrosino

Judy Fairweather was present to represent the applicant.

William Voeltz was sworn in.

This application was heard at the February 15, 2017 meeting and the applicant was directed to change the position of the pool and come back to the Board. The applicant moved the pool to the other side of the yard away from the back of the home. The prior application positioned the pool too close to the home. The pool will now be approximately 9 ft. away from the home. The Ordinance requires the pool to be located 15 ft. from the bulkhead and it will be located 6 ft. from the bulkhead. The deck will be located 1 ft. from the rear property line.

Public portion closed

Factual Findings

Mr. Leitner- The property is located in the R-7.5 zone. The pool will be located 6 ft. from the bulkhead where 15 ft. is required. The deck will be located 1 ft. from the rear property line where 15 ft. is required. There were no comments from the audience. This application will not

cause a detriment to the area or neighborhood. With these facts the Board can now make a decision.

Mr. Claudio- Concurred

Mr. Sorrentino- Concurred

Mr. Jamnik- Concurred

Mr. Chadwick- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-3012- Thomas Ambrosino. It was moved by Mr. Leitner and seconded by Mr. Chadwick. Mr. Leitner, Mr. Claudio, Mr. Sorrentino, Mr. Jamnik, Mr. Chadwick and Mr. Langer voted AYE. Mr. Mizer, Ms. White and Mr. Anderson were absent.

BA-3014- Michael Januska

Joseph Micheleni was present to represent the applicant.

Jason Marciano was sworn in. He is employed by East Coast Engineering.

The applicant is proposing to construct a 2 story, 3 bedroom single family residential dwelling with a ground level attached 1 car garage and a 224 square foot open second story rear deck.

The following variances have been requested:

Item	Permitted	Existing	Proposed
Minimum Lot Area	7,500 s.f.	3,970.63 s.f.	3,970.63 s.f.
Minimum Lot Width	75 ft.	45.48 ft.	45.48 ft.
Minimum Lot Depth	90 ft.	89.07 ft.	89.07 ft.
Minimum Rear Setback	15 ft.	N/A	13.47 ft.

This is an undersized lot with no additional property to obtain.

EVIDNCE

A-1- Copy of the 200 ft. list

A-2- Photo of some of the homes within 200 ft.

A-3- Copy of the buy and sell letters

The lot is 3,970 square feet and is presently wooded. Water and sewer have been installed in the roadway. No crawl space or basement is proposed for the home.

The applicant agreed to consolidate the lots. No CAFRA or Ocean County Soil approvals are required.

This application will cause no detriment to the area and will be a benefit. Mr. Kinnevy stated he had no problem with the application.

Public portion closed

Factual Findings

Mr. Sorrentino-The property is located in the R-7.5 zone. The property is now vacant. There is no available property to obtain. The lot is undersized. No CAFRA approval is required. The applicant agreed to consolidate the lots. This application will cause no detriment to the area. All grading requirements for the driveway will be met. The applicant provided copies of the buy and sell letters.

Mr. Claudio- Concurred

Mr. Leitner- Concurred

Mr. Jamnik- Concurred

Mr. Chadwick- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-3014- Michael Januska. It was moved by Mr. Sorrentino and seconded by Mr. Leitner. Mr. Sorrentino, Mr. Claudio, Mr. Leitner, Mr. Jamnik, Mr. Chadwick and Mr. Langer voted AYE. Mr. Mizer, Ms. White and Mr. Anderson were absent.

Recess: 7:40 Meeting resumed: 7:45 p.m.

BA-3011- Daniel and Mary Redmond

John Jackson was present to represent the applicant.

Charles Lindstrom was sworn in.

The applicant is seeking a Minor Site Plan approval with a Use Variance and bulk variance relief to demolish and remove an existing storm damaged single family dwelling and construct a new story, 3 bedroom elevated home with a covered porch off the rear of the top living level and a garage and storage area on the ground level. The proposed home and covered porch will be in the same general location and be approximately within the same footprint as the existing home, except that a new +/-151 square foot elevated rear deck is proposed off of the lower

living level extending to within 1.25 inches of the northerly property line: an exterior access staircase for this elevated rear deck is proposed to abut the westerly side of the new existing dwelling. In addition, a 2 foot wide cantilevered living space is proposed to extend from the southwesterly side of the lower living level beyond the existing building footprint. The proposed home will be FEMA compliant.

EVIDENCE

A-1- Copy of the Site Improvement Plan. Osborn Sea-Bay

A-2- Copy of an email from Wayne Diana, President, Osborn Sea-Bay Condo Assoc.

A-3- Copy of the Second Amendment to Master Deed of Osborn Sea-Bay, A Condominium

A-4- Copy of the Resolution BA-2865 dated 10/7/15

A-5- Copy of the Resolution BA-2865 dated 5/7/14

Mr. Miller questioned whether the applicant could go any further with the meeting as the block and lot on the application is for the entire site which Mr. Redmond does not own. The owner is required to sign the application and the owner did not sign it. Mr. Miller also stated that the email from Dr. Diana could not be used as evidence. The Board does not have proof that Dr. Diana knows all the circumstances of this application. There was no affidavit from the owner submitted with the application.

Mr. Jackson stated he did not agree with Mr. Miller and questioned if the Board members agreed with him. He called for a vote.

A motion was made if the Board members agreed with Mr. Miller to carry this application:

Mr. Jamnik- agreed

Mr. Leitner- agreed

Mr. Sorrentino- abstained

Mr. Claudio- abstained

Mr. Chadwick- agreed

Mr. Langer – agreed

A motion was made to carry case BA-3011-Daniel and Mary Redmond. It was moved by Mr. Sorrentino and seconded by Mr. Chadwick. Mr. Jamnik, Mr. Leitner, Mr. Chadwick and Mr. Langer voted AYE. Mr. Sorrentino and Mr. Claudio abstained. Mr. Mizer, Ms. White and Mr. Anderson were absent.

Mr. Langer announced this application will be carried to April 5, 2017. No further notice is required. Mr. Jackson agreed to waive the time.

BA-3009- Ocean Auto Tech

John Jackson was present to represent the applicant.

Sal Fiori was sworn in.

Michael Textores was sworn in. (engineer)

The applicant is seeking a Minor Site Plan approval with bulk variances and a conditional use variance to permit the installation of new signage for the existing gasoline service station on site. The sign modifications include the replacement of the existing freestanding site identification sign near the southwesterly building corner, the replacement of the existing signage on the facade of the overhead fuel canopy, the replacement of one of the wall sign mounted on the existing building on site and the modification of the informational signage on the fuel pumps. The station is changing from Sunoco to BP Gas. The PB sign will be slightly larger than the existing sign. The canopy will be rebuilt but the same size. The pumps will be changed but no changes will be made to the tanks. The new sign will be more modern and will allow better visibility and an upgrade to the area.

About 30 years ago the owners of the station and Lackland Storage made an agreement that the station could park cars on the rear of their property and the station agreed to let the Lackland property use the property to the left of the station as a driveway. It was suggested that this agreement should be made legal and put in writing.

The sign showing the gas prices will be changes only once a day and will not move or flash. The applicant agreed to plant landscaping around the ground sign. The applicant agreed to install sidewalks along Brick Blvd. The applicant has obtained County approval. The applicant agreed to list the address towards the top of the sign.

Public portion closed

Factual Findings

Mr. Leitner- The property is located in the B-3 zone. It is currently used as a gas service station. The applicant is requesting a D Variance. The canopy will be replaced. The new sign on the building will not be lit. The applicant agreed to list the address towards the top of the sign. No position on the parking situation was agreed upon. Landscaping will be planted around the bottom of the ground sign. There were no comments from the public.

Mr. Chadwick- Concurred

Mr. Jamnik- Concurred

Mr. Sorrentino- Concurred

Mr. Claudio- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-3009- Ocean Auto Tech. It was moved by Mr. Jamnik and seconded by Mr. Chadwick. Mr. Leitner, Mr. Chadwick, Mr. Jamnik, Mr. Sorrentino, Mr. Claudio, Mr. Langer voted AYE. Mr. Mizer, Ms. White and Mr. Anderson were absent.

A motion was made to approve the Resolution as posted for BA-3010- Kathleen Ullrich. It was moved by Mr. Sorrentino and seconded by Mr. Jamnik. Mr. Sorrentino, Mr. Leitner, Mr. Jamnik, Mr. Chadwick, Mr. Claudio and Mr. Langer voted AYE. Mr. Mizer, Ms. White and Mr. Anderson were absent.

A motion was made to adjourn the meeting at 9:36 p.m. All members voted AYE.

Respectfully submitted,

Christine Papa, Secretary
Planning Board/Board of Adjustment