

A meeting of the Brick Township Board of Adjustment was held on **May 16, 2018** in the Municipal Building.

The meeting was called to order at 7:00 pm.

Notice of Public Meeting was read by Mr. Langer, Chairman. He led the Salute to the flag and the roll was called.

**MEMBERS PRESENT**

Harvey Langer  
Frank Mizer  
Mike Jamnik  
Dawn White  
Louis Sorrentino  
Stephen Leitner  
Carl Anderson, Alt 1  
Michele Strassheim, Alt 2

**MEMBERS ABSENT**

David Chadwick

**ALSO PRESENT**

John Miller, Esq.  
Brian Boccanfuso, PE  
Sean Kinnevy, Zoning Officer  
Denise Sweet, Court Reporter  
Pamela O'Neill, Secretary

**VOUCHERS:**

A motion to approve the Vouchers for May 16<sup>th</sup> by Ms. White and seconded by Mr. Jamnik.

Ayes: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Mr. Langer, Mr. Anderson

**OLD BUSINESS:**

Ba-3074-Ronald Clark  
82 Tall Timber Drive  
Block 133 Lot 16

A motion was made by Mr. Leitner and seconded by Mr. Sorrentino to approve the

Resolution

Ayes: Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Mr. Langer, Mr. Anderson

The motion carried and the resolution was adopted.

**NEW BUSINESS:**

**1. BA-3067-Patrick and Kristen Schunke  
Block 17.02 Lot 13**

The applicant was represented by Julian McLeer, Esq., John Jackson, Esq. and Bruce Jacobs, Engineer. Ms. McLeer submitted Exhibit A-1 : Power point presentation of the Applicant's case. Ms. McLeer testified the applicant's property consist of a 2 story single family dwelling with a deck, the lot is undersize and the proposed pool is 12'X20' semi-circle surrounded by wood deck. Ms. McLeer testified the variance relief requested are; setback of 10' proposed from the bulkhead , where 15' is required, minimum side setback of 1ft proposed, where 5' is required, (0) ft. setback proposed for 6ft fence within 200ft of a body of water and 1ft is proposed setback for the stairs and only 4', minimum 5' setback is required. Ms. McLeer stated the applicant proposed to locate the pool equipment under the stairs.

Mr. Jacobs testified the site is a single family dwelling with 4,000 sq. ft. of property with 43' frontage on an undersized lot. The house was reconstructed after Super Storm Sandy in 2017 and CO obtained in May of 2017. The pool proposed will be a rectangle shape, 10' from the Bulkhead and 4' off the rear deck, with the pool equipment located under the existing staircase. He stated the applicant is requesting a variance to extend the staircase another 5' toward the Lagoon, 1' off the property line, another variance to have a 4' fence along Lagoon and 6' fence 20' back from the Bulkhead, resulting in C1 & C2 variances. He also testified the lot is a unique 40' wide and a hardship for side yard setback.

Chairman Langer commented for the applicant to locate the pool 5' from the deck instead of the 4' due to safety concerns

Mr. Mizer commented there might not be an need to have the 6' along the southbound side of the property, due the neighbors plantings along shared property line with should negate the noise and if the pool will have a heater, it cannot be located under the stairs as proposed due to construction regulations. He also asked if the platform would be above the Base Flood Elevation (BFE) and was advised by Mr. Jacobs the equipment would be located at 9.1' elevation.

Chairman Langer advised applicant if approved the heater will not be allowed to be placed under the staircase and must be placed in the open.

Mr. Jackson testified the applicant will move the heater to be compliant with building permit requirements and could also option for an electric or solar pool heater to comply.

Mr. Mizer inquired as to where the backwash was going, as it cannot go into the Lagoon. Mr. Mizer also asked if there were more undersize lots in the area and Mr. Jacobs advised yes there are multiple lots of similar size in the area.

Mr. Jackson replied the backwash will run into the street and the applicant agrees to not pipe the backwash into the Lagoon.

Brian Boccanfuso had the following questions and comments:

The applicant request 20' of fencing from the rear property line 23'+/- from the bulkhead with a transition from 4' to 6' fencing. Mr. Boccanfuso advised to comply must extend to 33' and since the fencing comes in 8' sections, the applicant could use three 8' sections to equal 24'. Mr. Boccanfuso also stated the staircase is proposed to come down 10', 15.3' from the property line, 18' from the bulkhead and if applicant agrees to do 24' of 4' fencing on both side, this would be a better option. He also commented Permit by rule, DEP regulation applies.

Chairman Langer called for Public comment and seeing no Public comment the Chairman closed Public comment.

Chairman Langer called upon Ms. White to give factual findings.  
Ms. White gave factual findings. All members concurred with Ms. White

A motion to approve the application was made by Mr. Mizer and seconded by Mr. Jamnik.

Ayes: Mr. Jamnik, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Ms. White, Mr. Anderson, Mr. Langer

## **2. BA-3078-Anthony Tudda Block 990.06 Lot 6**

The applicant, Mr. Tudda testified after he purchased the property, he converted windows to sliding door and is now proposing a deck 12' X 48' and 4.25' Mr. Kinnevy, Zoning Officer commented the property has 2 artificial Lagoon frontages, because of the shape of the lot against the street. The applicant proposed the deck to be 6.38' from the rear property line, where 20' is required.

Chairman Langer called for Public comment and seeing no Public comment the Chairman closed Public comment.

Chairman Langer called upon Mr. Mizer to give factual findings.  
Mr. Mizer gave factual findings. All members concurred with Mr. Mizer

A motion to approve the application was made by Ms. White and seconded by Mr. Sorrentino

Ayes: Mr. Jamnik, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Ms. White, Mr. Anderson, Mr. Langer

Chairman Langer announced the following cases were carried with the dates below:

**BA-3054-James and Kathryn VanBlarcom – August 1, 2018**  
**Block 382.09 Lot 15**

**BA-3076-David Gibbs- August 15, 2018**  
**Block 548.05 Lot 11**

**ADJOURNMENT**

A motion to adjourn the meeting was made by Mr. Langer and seconded by Mr. Mizer and all were in favor.

The meeting was adjourned at 8:25 PM

Respectfully submitted by:  
Pamela O'Neill