

A meeting of the Brick Township Board of Adjustment was held on **September 5, 2018** in the Municipal Building. The meeting was called to order at 7:00 pm.

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

MEMBERS PRESENT

Harvey Langer
Frank Mizer
Stephen Leitner
Mike Jamnik
Dawn White
Carl Anderson, Alt 1

MEMBERS ABSENT

David Chadwick
Louis Sorrentino
Michele Strassheim, Alt 2

ALSO PRESENT

John Miller, Esq.
Brian Boccanfuso, PE
Tara Paxton, AICP/PP, Asst. Municipal Planner
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

The Board Professionals were sworn.

Vouchers

A motion to approve the vouchers was made by Mr. Leitner and seconded by Ms. White

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

OLD BUSINESS:

Reappointment of Attorney for Board of Adjustment

A motion to Re-appoint Roald D. Cucchiaro, Weiner Law Group, LLP, to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-42-18 was adopted

Reappointment of Engineer for Board of Adjustment

A motion to Re-appoint CME Associates to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-43-18 was adopted

Reappointment of Planner for Board of Adjustment

A motion to Re-appoint Tara Paxton, M.P.A., AICP/PP, to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-44-18 was adopted

Reappointment of Court Reporter for Board of Adjustment

A motion to Re-appoint Denise Sweet & Associates to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-45-18 was adopted

Reappointment of Chairman for Board of Adjustment

A motion to Re-appoint Harvey Langer, Chairman, to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-46-18 was adopted

Reappointment of Vice Chairman for Board of Adjustment

A motion to Re-appoint Frank Mizer as Vice Chairman to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-47-18 was adopted

Reappointment of a Secretary for Board of Adjustment

A motion to Re-appoint Pamela O'Neill to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-48-18 was adopted

Reappointment of Engineer for Board of Adjustment

A motion to Re-appoint CME Associates to the Board of Adjustment for the year ending in 2018 was made by Ms. White and seconded by Mr. Jamnik.

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

The motion carried and Resolution R-43-18 was adopted

BA-3075 2/18- Gregory Ulashkevich 28 Alcala Drive Block 211.07, Lot 14

A motion to approve the resolution was made by Ms. White and seconded by Mr. Jamnik

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

The motion carried and Resolution R-49-18 was adopted

BA-3084-2/18-James and Jane Moran
515 Broad Avenue
Block 20.03, Lot 7

A motion to approve the resolution was made by Mr. Mizer and seconded by Ms. White

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

The motion carried and Resolution R-50-18 was adopted

NEW BUSINESS

BA-3097- Alina Payne
377 Herbertsville Road
Block 1353.39, Lot 12
Use Variance

Michael Cannon, P.E., P.P., L.P.S. was sworn and his credentials to testify as engineer and planner.

He testified his client purchased the property last November. He prepared a survey and plot plan for the application. It is a vacant corner lot at Herbertsville Road and Horace Court. The property is in the B-1 zone. It is not conforming to the B-1 zone as it is deficient in bulk requirements to be able to build a commercial building and provide and site improvements.

The applicant seeks approval to construct a four bedroom, ranch style, single family dwelling that meets the R-7.5 setbacks. Proposed use conforms more to the neighborhood as there are other dwellings in the area. The benefits outweigh the detriments.

Tara Paxton, Planner, noted that a report was prepared by Mr. Romano in the Zoning Office of the Township.

She also noted the Township of Brick is considering a new ordinance which would make residential uses allowed in the Village Zone for Herbertsville Road, Drum Point Road and Mantoloking Road.

She recommended if the Board approves the application, the resolution should state they will not require a variance for accessory uses.

The applicant will conform to 60 % lot coverage

Chairman Langer called for public comment.

Christine Cartwright, 200 Walnut Drive, was sworn. She said she lives behind the applicant. She expressed concern about grading.

The applicant will submit a grading plan at the time they seek a building permit.

Seeing no other comments, the Chairman closed the public hearing.

Mr. Mizer gave factual findings. All members concurred with the findings.

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

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

Nays: Mr. Mizer

BA-3094-4/18-Todd LaRue
602 Point Avenue
Block 928, Lot 25
Bulk Variance

William Gage, Esq. appeared on behalf of the applicant.

Todd LaRue, applicant and owner, was sworn.

Exhibit A-1- Plot plan dated 7/11/18 was marked

Exhibit A-2- Photo of the rear of the house was marked. 726 Bay Ave-similar situation

Exhibit A-3- Google Earth color photo was marked

He testified he was seeking approval to construct an 8 foot by 18 foot in-ground swimming pool with pool equipment and a heater in the northwest portion of the rear yard. He testified he wants to install a 6 foot high fence with shrubbery along the property line at Princeton Avenue. He agreed the shrubbery will be slow growing. He will provide a grading plan to the Township. He testified his property has two frontages on two streets

Chairman Langer called for public comment.

Lawrence Picarell, 602 Princeton Avenue was sworn. He testified the applicant has demolished a dilapidated house and has turned the property into a gem. He said he is in favor of the application.

Seeing no other members of the public wanting to comment, the Chairman closed the public.

Ms. White gave factual findings. All members concurred with the findings.

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

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

**BA -3095-4/18-James and Mary Ellen McMillan
40 Johnson Street
Block 875, Lot 2.03
Bulk Variance**

Mary Ellen McMillan, owner and applicant was sworn. She testified they are seeking approval to install a generator in the northerly side yard of the property. They need a side yard setback variance where 10 feet is permitted and 8 feet is proposed. They have had power outages in past storms and want to protect their home. They will elevate the generator. Mrs. McMillan said there is existing vegetation to soften the view for the neighbors.

The Chairman called for Public comment, seeing none, he closed the public hearing.

Ms. White gave factual findings. All members concurred with the findings.

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

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

**BA- 3094-10/17-James and Kathryn Van Blarcom
216 Arizona Drive
Block 382.09, Lot 15
Bulk Variance**

James and Kathryn Van Blarcom, owner and applicant were sworn. They testified they are seeking approval of an air conditioner installed in the side yard of the existing home. They need a variance for a 3 foot side yard setback where 5 feet is permitted.

The Chairman called for Public comment, seeing none, he closed the public hearing.

Ms. White gave factual findings. All members concurred with the findings.

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

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

ADJOURNMENT

A motion to adjourn the meeting was made and all were in favor.
The meeting was adjourned at 8:30 PM

Respectfully submitted by:
Judy Fox Nelson