

A meeting of the Brick Township Board of Adjustment was held on **January 16, 2019** 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
David Chadwick
Dawn White
Mike Jamnik
Louis Sorrentino
Carl Anderson
Michele Strassheim, Alt 1
Lori Burns, Alt 2

MEMBERS ABSENT

Frank Mizer

ALSO PRESENT

John Miller, Esq.
Christopher Romano, Zoning Officer
Tara Paxton, AICP/PP, 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. Jamnik and seconded by Ms. White

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

OLD BUSINESS:

RESOLUTIONS

Resolutions to Re- appoint the Court Reporter for the Board of Adjustment for 2019.

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

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-4-19 was adopted

**BA-3062-A-FSP-C-D-Urban Edge Properties
Block 701, Lot 7, 8.03
644 NJ State Hwy 70
Amended Final Major Site Plan**

A motion to approve the resolution was made by Mr. Anderson and seconded by Mr. Chadwick

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-7-19 was adopted

**BA-3118-8/18 Louis and Carol Possess
343 North Bay Drive
Block 43.05, Lot 16
Bulk Variance**

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

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-8-19 was adopted

**BA-3120-8/18-Claudia Dressler
212 Cleveland Court
Block 1359.42, Lot 11 & 12
Bulk Variance**

A motion to approve the Resolution of Denial was made by Mr. Chadwick and seconded by Ms. Strassheim

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-9-19 was adopted

BA-3113-Robert and Adele Ball
207 Helm Road
Block 44.01, Lot 16
Bulk Variance

Mr. Miller announced the adoption of the resolution will be carried to the meeting of January 30, 2019.

BA-3051 Mar-T-Development
581 Mantoloking Road
Block 190.88, Lot 18
Appeal

Mr. Miller announced that the applicant's attorney has asked to have the application carried.

A motion was made by Ms. White and seconded by Ms. Strassheim to carry the application to the meeting of March 20, 2019

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

BA-3124-Appeal—10/18-Jill Kovalsky
371 Iroquois Drive
Block 937, Lot 44 & 44.01

Jill Kovalsky was sworn. She stated she is appealing the decision of Zoning Officer, Christopher Romano regarding the definition of a living fence at a property on 373 Iroquois Drive. She testified she is a licensed, Landscape Architect. She testified that the homeowners at 373 Iroquois replanted a line of trees on 6/5/2018. The Living fence is on 373 Iroquois.

Exhibit A-1-Tax Map was marked by the Court Reporter
Exhibit A-2-Survey of her property #371 Iroquois Drive was marked
The survey shows Ms. Kovalsky's property and the living fence on the property at 373 Iroquois. Ms. Kovalsky added the living fence to the survey which was dated in 2005.

Mr. Romano testified the Township of Brick issued a code violation to the neighbor. He stated the homeowner came into the Town to correct the issue. Mr. Romano advised the owner at 373 Iroquois to relocate some of the plantings and explained how to maintain the fence to keep in compliance. He said the Leland Cypress is allowed since they are not in a row.

Ms. Kovalsky said she is protesting the Leyland Cypress trees as they grow to 30 feet and they are currently in a row at 10 feet high.

Barbara Allen Wooly Dillon, identified herself as the newly appointed Director of Planning and Development for Atlantic City. She was planning to testify as a Planner for the applicant.

Mr. Miller said the Board was not advised of her appearance and advised the Board to carry the application. She can submit a report to the Board.

The application will be carried to the meeting of March 20, 2019. The applicant agreed to a waiver of time until April 17, 2019.

**BA-3123 –C- 9/18 Michael Erdman
74 Burton Parkway
Block 651, Lot 8.01
Bulk Variance**

Michael Erdman, applicant was sworn. He testified he is seeking a variance to construct an 11 ft. X 7 ft. single story addition to the southerly corner of his house. He said they need more closet space. The applicant proposes a front yard setback of 14.42 feet whereas 20 feet are required. The house is on a corner lot requiring a front yard setback. He is basically squaring off the house.

Chairman Langer noted the shed on the property. Mr. Erdman said the shed was there and he is not sure if it had a permit. It is about 100 SF. The variance for the shed will be included with the application.

The existing porch appears to be deficient by a one foot set back from Burton Parkway. The porch and shed will be added to the approval.

Mr. Boccanfuso reviewed his report dated November 8, 2018. He asked the applicant to consolidate the lots. Mr. Erdman agreed

Chairman Langer called for public questions or comments. Seeing none he closed the public.

Mr. Chadwick provided factual findings. All members were in agreement.

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

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Ms. Strassheim, Mr. Langer

**BA-3117-PSP-FSP-D-8/18-728 Princeton Avenue, LLC
728 Princeton Avenue (Stark's Landing on the Beaverdam)
Block 937, Lot 44 & 44.01
Use Variance, Preliminary & Final Site Plan**

John J. Jackson, Esq. appeared on behalf of the applicant.

The following witnesses were sworn and their credentials were accepted by the Chairman:

Jeffrey Carr, P.E., P.P., Lindstrom Diessner and Carr, PA, Engineer and Planner
Christine Cafone, PP, Cofone Consulting Group, LLC, Planner
Dan Governale, Barlo & Governale, Associates, Architect
Scott Kennel, McDonough & Rea Associates, Inc.

Exhibit A-1- a 39 page power point presentation was marked.

Mr. Jackson gave an overview of the proposed high end luxury condos located at the foot of the Beaverdam Bridge. He noted the property is surrounded with Marine Commercial uses and has a residential property to the east and across the street.. He said the size and scale of the building will be similar to the homes in the area. He displayed a cut and paste imposed on the lot to show it will be compatible with the dwelling in the area.

Mr. Jackson noted the following reports were included in the power point presentation.
Bureau of Fire Safety- dated 8-3-18
Architectural Committee dated 11-7-18
Environmental Commission dated 12-31-18
Municipal Engineer dated 9-18-18
Municipal Planner dated 1-11-19
CME, Board Engineer dated 10-5-18

Mr. Carr testified to the existing conditions using Sheet 2 of the site plan, page 10 on the power point presentation. He testified the site is at the foot of the Beaverdam Bridge, at the end of Princeton Ave with Comstock Marina, having boat repairs, boat lifts, and mechanicals associated with a marina. A pump station is located on one side and a Single Family lot along with the subject property. The subject property has been used as Stark's Marina. It is a gravel covered lot with a 2 story dwelling on a 75' X 185" lot. He said they are proposing a 4 unit multifamily townhouse building with private boat slips. He noted the proposed use will be less intense than what could be done with a single lot. The scale is smaller than some of the other single houses on Princeton Avenue. He testified the setbacks will be maintained. The applicant is proposing 83 feet front yard setback whereas a 20 foot set back is permitted. The proposed rear yard setback is 38.6 feet well more than the 15 foot requirement.

Mr. Carr testified there will be sidewalks across the road frontage, you would enter the site with a green area, visitor parking for 6 cars with two islands of landscaping and a turnaround for safe maneuvering of garbage truck, mail delivery etc. He said each unit will have 2 parking spaces under the building. It will be open and no storage will be permitted. Adequate lighting will be provided. The pool is relatively small. The boat ramp will be maintained along with the T-dock. They will pave the front of the site, but the balance will have a crushed shell surface to be more environmentally and visually better.

Mr. Carr testified they will comply with the recommendations of the Environmental Commission dated 12-31-18, They will comply with the Shade Tree Commission report to planting grasses. He noted the Municipal Engineer and Traffic Safety had no issues with the application.

Regarding the Bureau of Fire Safety comment on Trash Removal, they will have storage of garbage containers under the building with each owner responsible for their own container. A private hauler will provide service.

Mr. Carr testified to the report of Mr. Boccanfuso dated November 1,2018. He made the following comments:

They will meet the RSIS requirements.

The applicant will seek a waiver for the use of crushed clam shell surfaces.

The applicant agrees the parking spaces under the building will be assigned, but not signed.

Storm water management will have positive results with minimal building area, additional landscaping. They propose a rain garden.

Mr. Carr said he will work with Mr. Boccanfuso on landscaping and lighting.

He testified they will comply with FEMA, have made application to NJDEP and will secure approvals. He further stated they are seeking a waiver for EIS.

They will comply with the County and road restoration.

They will show the mechanicals on the plan

The pool will have open fencing for visibility of the creek.

Mr. Boccanfuso asked Mr. Carr if there are any other multifamily uses in the area

Mr. Carr responded there are none in Brick, but there are condos in Point Pleasant across the Bridge. He further noted how unusual this particular site is. Mr. Carr agreed all present commercial uses on the site will be abandoned.

Mr. Boccanfuso said he has no objection to the waiver for the clam shell surface.

Mr. Carr agreed to provide No Parking signs outside the parking areas under the building.

Mr. Carr agreed to provide a 4 foot solid fence to screen headlight glare.

Mrs. Paxton commented on the trash storage. She said she does not agree that the trash should be stored under the building. She agrees with the Bureau of Fire Safety. They should be in a separate area. Mr. Carr said he will design an area for the containers along the landscape island and will work with the Bureau of Fire Safety. She also said she thought 8 foot lighting was more appropriate for the area..

Chairman Langer noted the time was 9:55 PM and the application would be carried to Wednesday, April 3, 2019. The applicant agreed to a waiver of time. The public was advised this is the notice. No new notice is required.

Mr. Miller assured the public they will have an opportunity to comment.
Mr. Jackson said members of the public were welcome to call his office to work out any concerns.

A motion was made to adjourn and all were in favor.

Respectfully submitted,

Judy Fox Nelson