

A PUBLIC meeting of the Brick Township Board of Adjustment was held on Wednesday, **April 17, 2019** in the Municipal Building  
401 Chambers Bridge Road.

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

Notice of a 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  
David Chadwick  
Dawn White  
Carl Anderson  
Mike Jamnik  
Frank Mizer  
Louis Sorrentino  
Michele Strassheim, Alt 1

**ALSO PRESENT**

Ronald Cucchiaro, Esq.  
Brian Boccanfuso, PE  
Christopher Romano, Zoning Officer  
Denise Sweet, Court Reporter  
Pamela O'Neill, Secretary

Chairman Langer called the meeting to order.  
The Board Professionals were sworn

**VOUCHERS**

A motion to approve the vouchers was made by Mr. Chadwick and seconded by Ms. White  
In favor: Mr. Chadwick, Ms. White, Mr. Jamnik, Mr. Sorrentino, Mr. Mizer, Mr. Anderson, Mr. Langer

**OLD BUSINESS**

**BA-3107- Christopher Kronenthal  
59 B Topsail Road  
Block 324.39, Lot 6  
Bulk Variance**

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

In favor: Mr. Chadwick, Ms. White, Mr. Jamnik, Mr. Anderson, Mr. Langer

The motion carried and Resolution R-20-19 was adopted.

## **NEW BUSINESS**

Chairman Langer announced that the following case will be carried to Wednesday, August 7, 2019. The notice was defective and the applicant is required to renounce.

**BA-3127 Chriskal Inc.  
373 Mantoloking Road  
Block 169, Lot 50  
Preliminary and Final Major Site Plan with Use Variance**

**BA-3135- PSP-FSP-D-C-11/18  
Legacy Property Associates  
Block 842, Lot 16  
Preliminary and Final Major Site Plan with Use Variance**

John J. Jackson, Esq. appeared on behalf of the applicant. He asked to have Exhibit A-1, Power Point Presentation, Exhibit A-2 colored rendering of the site plan marked for the record.

Jeffrey Carr, PE, PP, Engineer and Planner were sworn. His credentials to testify as engineer and planner were accepted by the Chairman.

Gilberto DaSilva, Jr., Managing member of Legacy Property Associates was sworn.

David Hartdorn, A.I.A., Architect, was sworn. His credentials were accepted by the Chairman.

Mr. Jackson gave an overview of the application. The property is located on Route 88. The applicant is proposing to demolish an old run down auto repair establishment and construct a new building with a footprint area of 4,090 SF. They are seeking a D-1 Use

variance since they know it has been operated as an auto repair facility, but do not know for how long.

He further stated the applicant has eliminated the island in the middle of the site at the request of Tara Paxton and Kevin Batzel and will provide a loading zone for delivery of parts. They will provide a single row of trees at the back of the site and have no windows or doors at the back of the building to provide a more quiet area. He said the applicant also owns a successful towing business that will not operate from this site. The front of the building will line up with the newly constructed building belonging to Dr. Patel on the next property.

Mr. Carr testified the property is located in the B-1 zone and meets the set-backs of the zone.

Mr. Carr testified regarding the use variance that the site is suited for motor vehicle repairs and has existed at this location for many years. The applicant is proposing improvements to the site including a new building, landscaping and storm water management. He further testified there are no negative effects.

Mr. Carr stated the applicant agrees to the recommendations of the Bureau of Fire Safety Report dated 12/03/18,

The Brick Police Traffic report dated 12/05/18 had no concerns.

Mr. Carr stated he agreed to the recommendation of the Municipal Engineer, Elissa Commins dated 12/06/18.

He reviewed the CME Associates report prepared by Brian Boccanfuso dated 2/19/19.

Mr. DaSilva testified they will have a maximum number of employees of 7, but most of the time there will be 5. The hours of operation will be 8 AM to 5 PM Monday to Friday and 8AM to 1 on Saturday.

Mr. DaSilva testified the Towing Operation is being moved to a different location.

Ms. Paxton asked Mr. DaSilva if he will designate the employee parking area. He said he would like to use the storage area. After some discussion, Mr. Boccanfuso agreed they can show the storage area for employee parking and should show it on the plan.

Mr. Cucchiaro asked Mr. DaSilva to specify they will not work on trucks at the site. The applicant agreed the repair facility will be limited to cars, pick-up trucks and SUVs.

Mr. Carr reviewed the variances as outlined on page 3 of Mr. Boccanfusco's report.

He agreed with the suggestion to reduce the parking space width to 9 feet.

Mr. Carr stated they have an application for DOT approval pending.

Mr. Carr stated he will work with Mr. Boccanfuso on all comments.

Ms. Paxton asked about signage.

Mr. Carr stated they will have one monument sign and a facade sign. Both signs will be fully conforming.

Ms. Paxton noted that in her report dated April 12, 2019, she asked that the trash enclosure be compliant with the ordinance.

Mr. DaSilva testified all of the oil and fluids are picked up under a contract. They are stored within the building.

The solid waste will be redesigned to comply, but will be managed by the staff.

David Hartdorn, AIA, testified to the style of the proposed new building. He described it as "Old Industrial Look" featuring old brick, glass at the top to let the light in, and a steel bracket roof with glass garage doors. The building is to be 29' 4 "high, conforming to the B-1 zone.

Chairman Langer opened the hearing for public questions or comments. Seeing none, he closed the hearing to the Public.

Mr. Chadwick gave factual finding. All were in agreement with the findings.

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

In favor: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Mizer, Mr. Anderson, Mr. Langer

**BA-3137-C-1/19**

**Vincent and Eileen Ferranti**

**259 Curtis Point Drive**

**Block 45.07, Lot 29**

Vincent DeSimone, Esq. appeared on behalf of the applicant. He noted they have eliminated the two side yard setbacks originally requested. He requested Exhibit A-1, a rendering of the landscape design for the rear yard be marked.

Matthew Hockenbury, PE, engineer for the applicant was sworn and his credentials to testify as engineer were accepted by the Chairman.

Mr. Hockenbury testified the property is located at 259 Curtis Point Drive.

The applicant has been razed and moved 4 feet forward to obtain more room in the rear yard. They are proposing an addition of 160 SF to the garage with a second story bonus room and the installation of a 13 foot by 26 foot in-ground pool with a spa, an 885 SF attached rear deck with an arbor and a 4 foot by 12 foot. They are seeking a variance for the front yard setback where 25 feet is required and 12.5 feet are proposed and a rear yard setback of 13 feet where 15 feet is required and Maximum Lot coverage where 30 % is required and 32% is provided.

Mr. Hockenbury agreed to comply with all items in the Board Engineers report dated March 1, 2019 and will apply for a Township Grading Permit and a CAFRA permit.

Mr. Mizer said he visited the subject property and did not notice many other houses so close to the street.

Peter Spagnuolo, builder for the applicant was sworn. He testified that other homes in the area had similar front yard set-backs at 205, 263, 264, 272, and 291 Curtis Point Drive.

Chairman Langer opened the hearing for public questions or comments. Seeing none, he closed the hearing to the Public.

Ms. White gave factual finding. All were in agreement with the findings.

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

In favor: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Anderson, Mr. Langer

Not in favor: Mr. Mizer

Chairman Langer called for a brief recess at 8:57 and he called the meeting back to order at 9:05.

**BA-3143-2/19 Patricia DeAngelis  
335 Cutter Lane  
Block 44.15, Lot 18**

Robert Burdick, PE, engineer for the applicant was sworn. He testified He is seeking a variance to construct a 10 foot by 24 foot in-ground swimming pool into an existing deck in the rear yard of the property as well to locate pool equipment in the side yard; The proposed rear yard set-back to the bulkhead is 10 feet whereas 15 feet is required. He agreed to comply with CAFRA permit by rule requirements.

Chairman Langer opened the hearing for public questions or comments. Seeing none, he closed the hearing to the Public.

Mr. Sorrentino gave factual findings. All were in agreement with the findings.

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

In favor: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Mizer, Mr. Anderson, Mr. Langer

Chairman Langer called for a brief recess at 9:20 and he called the meeting back to order at 9:27.

**Presentation by Ronald Cucchiaro, Esq. and John Miller, Esq.**

Mr. Cucchiaro stated the following presentation which is a requirement of the Township of Brick Insurance. No individual cases will be discussed. He will follow a script and all members received a copy of the Power Point Presentation.

Municipal Excess Liability Joint Insurance Fund

**ADJOURNMENT**

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

The meeting was adjourned at 10:03 PM.

Respectfully submitted by:  
Judy Fox Nelson