

A **PUBLIC** meeting of the Brick Township Board of Adjustment
Was held on Wednesday, **August 7, 2019** at Brick Township Municipal Building
401 Chambers Bridge Road.

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

Chairman Langer called the meeting to order. He led the Salute to the flag and read the following Open Public Meetings Act Statement.

Pursuant to Section 10 of the Open Public Meetings Act, notice of this meeting was sent and advertised in the Asbury Park Press and the Ocean Star. A copy of that notice was posted on the bulletin board, where public notices are displayed, in the municipal building. In addition, a copy of that notice is, and has been available to the public, and is on file in the office of the municipal clerk. Accordingly, this meeting is deemed to be in compliance with the Open Public Meetings Act.

Mr. Langer read a statement from the Insurance Company on proper meeting conduct.

The Roll was called

MEMBERS PRESENT

Harvey Langer
Frank Mizer
David Chadwick
Dawn White
Mike Jamnik
Frank Mizer
Louis Sorrentino
Carl Anderson
Michele Strassheim, Alt 1 (7:15 PM)

ALSO PRESENT

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

The Board Professionals were sworn

OLD BUSINESS

VOUCHERS

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

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

RESOLUTIONS

BA-3101-Lanes Mill Developers, LLC
Block 1447.02, Lots 23, 24, 25
10 Lanes Mill Road
Use Variance and Preliminary and Final Major Site Plan

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

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

The motion carried and Resolution R-37-19 was adopted.

BA-3124-A-Jill Kovalsky
Block 891, Lot 3
373 Iroquois Drive
Appeal

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

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

The motion carried and Resolution R-35-19 was adopted.

BA-3051-A- Mar-T-Development
Block 190.08, Lot 18
581 Mantoloking Road
Appeal

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

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

The motion carried and Resolution R-36-19 was adopted.

NEW BUSINESS

**BA-3117-PSP-FSP-D- 728 Princeton Ave, LLC
728 Princeton Ave
Block 937, Lot 44 & 44.01
Use Variance and Preliminary & Final Major Site Plan**

Chairman Langer announced the application is being carried to Wednesday, November 6, 2019 at the request of the applicant.

John J. Jackson, Esq, attorney for the applicant, agreed to a waiver of time through December 4, 2019. Mr. Miller stated this is the notice. No further notice will be required.

**BA-3147 Martha Materson
Block 567, Lot 9 & 10
482 Community Drive
Bulk Variance**

Martha Materson, applicant, was sworn. She stated she is requesting a variance to replace the existing 4 foot open picket fence with a 4 foot high solid cedar wood fence. She explained she has 2 dogs to contain.

Her uncle, Ed Gunnell, was sworn. He explained the fence will be constructed on the property line for Community Drive.

Zoning Officer, Christopher Romano, stated he does not have a problem with this. He said there will be a 0 ft. set back where 25 feet is required on Community Drive and a 1.5 to 1.6 ft. set back on the side yard.

Mr. Boccanfuso noted the existing shed does not comply with the ordinance and the applicant should request a variance for the shed as well.

Chairman Langer opened the hearing for public comment. Seeing none, he closed the hearing to the public.

Factual findings were given by Mr. Mizer and all members concurred.

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

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

**BA-1327 Chriskal, Inc.
Block 169, Lot 50
373 Mantoloking Road
Use Variance**

John J. Jackson, Esq. appeared on behalf of the applicant. He stated the applicant is seeking conditional use variance relief permitting the expansion of an existing auto repair business to allow for automobile sales on the property. The site improvements proposed in connection with this application are limited to pavement restriping and signage to designate a handicap accessible parking space to the north of the existing building. The applicant is also proposing to designate 8 of the existing parking spaces for auto sales. The site is located at the corner of Adamston Road and Mantoloking Road. The applicant has received a permit from the Council to allow car sales. Mr. Jackson said the applicant has agreed to provide a dumpster enclosure per the Bureau of Fire Safety.

Exhibit A-1, 20 page Power Point presentation was marked.

Richard Butryn, P.E., P.P., was sworn. He testified to the location and the use of the site. He stated the proposed auto sale use would have no effect on the adjacent residential properties. There will be no signage except for windshield signs, no Sunday sales, no additional employees.

Ms. Paxton stated the applicant can come for Administrative Approval for the trash enclosure. She further stated the applicant was grandfathered for the use and the business. The auto sales did not meet the conditions of the conditional use. This is a D-3 variance. The applicant provided the proofs as needed.

Andres Ruiz, owner of the business, Al's Auto Repair, was sworn. He testified to the disposal of oil and the hours of operation. They close on Sunday.

Mr. Boccanfuso noted there is no site plan approval required. There is only striping required. He does want to see handicap parking.

Mr. Jackson stated the Council Permit allows only six spaces for auto sales.

Chairman Langer opened the hearing for public comment. Seeing none, he closed the hearing to the public.

Factual findings were given by Mr. Chadwick and all members concurred.

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

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

ADJOURNMENT

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

The meeting was adjourned at 8:26 PM.

Respectfully submitted by:
Judy Fox Nelson