

A **PUBLIC** meeting of the Brick Township Board of Adjustment  
Was held on Wednesday, **September 18, 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  
Dawn White  
David Chadwick  
Louis Sorrentino  
Carl Anderson  
Michele Strassheim, Alt 1

**MEMBERS ABSENT**

Mike Jamnik

**ALSO PRESENT**

John Miller, Esq.  
Brian Boccanfuso, PE  
Tara Paxton, AICP/PP, Municipal Planner  
Christopher Romano, Zoning Officer  
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. Mizer and seconded by Mr. Anderson

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

## **RESOLUTIONS**

**BA-3139 –C-4/19**  
**DRM Construction, LLP**  
**137 Jordan Road**  
**Block 990.02, Lot 5**

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

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

The motion carried and Resolution R-39-19 was adopted.

**BA-3151-4/19 Frederick Tinao**  
**Block 938, Lot 35**  
**729 Princeton Avenue**  
**Bulk Variance**

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

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

The motion carried and Resolution R-40-19 was adopted.

**BA-3153-5/19 Patrick Christie**  
**210 7<sup>th</sup> Avenue**  
**Block 11-17, 19, 21 and 23**  
**Bulk Variance**

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

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

The motion carried and Resolution R-41-19 was adopted.

## **NEW BUSINESS**

### **BA-3156- C-C-6/19 Stephen & Cynthia Biddle 157 Everest Drive South Block 1210.08, Lot 2 Bulk Variance**

Stephen Biddle, applicant testified that he is seeking a variance to construct a 12 X 18 foot 4 season room to the house. A 9 foot rear set back would be provided whereas a 20 foot set back is required.

Mr. Biddle stated the proposed 4 season room is common in Greenbriar II and has been approved by the Association.

Mr. Romano noted this was a common request.

Mr. Boccanfuso stated the applicant needs to have a variance for lot coverage. 35 % is required and the applicant will. have 39 %. The engineering department will review the permit for drainage.

Chairman Langer called for public comment. Seeing none, he closed the public.

Mr. Chadwick provided Factual Findings and all members concurred.

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

Voting in favor: Mr. Chadwick, Ms. White, Mr. Sorrentino, Mr. Mizer, Mr. Anderson, Mr. Langer Ms. Strassheim

### **BA-3144MSP-C-D-2/19 William & Sharon Reick 18 West Marion Street Block 24, Lot 4 Bulk & Use Variance**

Martin Gertner, Esq. appeared on behalf of the applicant.

David G. Eareckson, PE, Eatontown, NJ engineer for the applicant was sworn and his credentials to testify were accepted by the Chairman.

Barbara Ehlen, AICP/PP, Beacon Planning and Consulting Services were sworn and her credentials to testify as Planner were accepted by the Chairman.

Mr. Gertner introduced the following exhibits:

Exhibit A-1- Boundary Topo Survey dated 6/28/2011 by Birdsall Corp. showing Camp Osborn before Sandy

Exhibit A-2 enlargement of the section of the bayside showing the subject property-the 2<sup>nd</sup> house form the west with at grade decks

Exhibit A-3 signed site plan showing the subject house approved in 2014 by the Board of Adjustment.

Exhibit A-4 Elevation exhibit from the 2014 hearing which shows the deck.

Exhibit A-5 Minor Site Plan exhibit with stairs on east side and deck across the rear Photos show Reick's house and the house with approved side and stairs and deck on the adjoining house belonging to Mr. Redmond.

Mr. Eareckson said there are 2 definitions for a deck. The proposed deck does not meet the definition of a deck because it is elevated. Therefore, the deck is considered part of the house. He testified there are 2 parking spaces. As to the Bureau of Fire Safety, he testified there is clear access on four sides of the house. Road improvements will be completed.

David Eareckson testified the first floor of the structure has an 8 foot elevation. The condominium has approved Mr. Reick's application for the deck. He stated the applicants will comply with all the Township drainage and grading requirements.

There was a discussion with Tara Paxton, Municipal Planner, about the variance requested. All agreed the applicant is seeking a D-1 variance for the deck.

Barbara Ehlen, PP, A.I.C.P., testified that the elevated decks are common in this neighborhood. She stated the elevated deck will not block views of adjacent property owners and will result in a desirable visual environment and still provide adequate open space on the subject property. She testified the positives outweigh the negatives.

Chairman Langer called for public comment. Seeing none, he closed the public.

Mr. Mizer provided factual findings and all members concurred.

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

Voting in favor: Mr. Chadwick, Ms. White, Mr. Sorrentino, Mr. Anderson, Mr. Langer

Voting no: Ms. Strassheim, Mr. Mizer

Chairman Langer called for a brief recess at 8:27 PM. He called the meeting back to order.

**BA-3149-C-3149-4/19**  
**DRM Construction, LLP.**  
**Block 990.02, Lot 5**  
**137 Jordan Road**

Jillian McLeer, Esq. appeared on behalf of the applicants. She confirmed Dallmeyer letters were sent to the adjacent property owners. She gave a brief overview of the application noting the applicant is seeking approval to construct a new single family dwelling in the R -7.5 zone.

Exhibit A-1 a Power Point Presentation pages 1-14 was marked.

Exhibit A-2- buy sell letter dated August 19, 2019, to Madlinger at 133 Jordan Road was marked

Exhibit A-3- buy sell letter dated August 19, 2019, to Kraemer, 136 Leone Drive was marked.

Matthew Wilder, P.E., P.P., Morgan Engineering, was sworn and his credentials to testify were accepted by the Chairman.

Mr. Wilder testified the subject property is a vacant undersized lot in the R 7.5 zone. He testified the applicant requires two variances. The minimum lot size for a corner lot is 9,000 SF whereas the applicant has 7,500 SF. The front yard set- back on Midcen Road is 25 feet whereas 23 feet is provided. The proposed dwelling is a two story, 4 bedroom, 2 ½ bath house with 3 ½ parking spaces and a small uncovered rear deck. .The house will be elevated to comply with the flood zone.

The house will fit in with the neighborhood.

He reviewed the CME Associates letter prepared by Mr. Boccanfuso dated June 20, 2019.

The applicant will provide a site triangle per the County requirements.

The fencing show on the plan belongs to the adjoining properties.

They will provide a small swale to meet the drainage and grading. Grading and drainage will be subject to the Engineering review.

Mr. Mizer noted the lot has some very nice trees. Mr. Wilder said they will save as many trees as possible.

Chairman Langer called for public comment

George Carras, 132 Leone Drive was sworn and he asked to see a copy of the plans. He is concerned with the size of the house. He will be given a copy of the plan He commented on removal of the trees and stated the trees are hanging over and most should be removed.

Richard Kraemer, 136 Leone Drive, was sworn. He asked about water run-off. Mr. Wilder explained the water will drain to the street.

Mr. Chadwick provided factual findings and all members concurred.

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

Voting in favor: Mr. Chadwick, Ms. White, Mr. Sorrentino, Mr. Anderson Ms. Strassheim, Mr. Mizer, Mr. Langer

#### ADJOURNMENT

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

The meeting was adjourned at 9:07 PM..

Respectfully submitted by:  
Judy Fox Nelson