A **PUBLIC** meeting of the Brick Township Board of Adjustment

Was held on Wednesday**, May 6, 2020 at** Brick Township Municipal Building

401 Chambers Bridge Road Virtually through Zoom.

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

Chairman Chadwick 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. Chadwick read a statement from the Insurance Company on proper meeting conduct.

The Roll was called

**MEMBERS PRESENT**

David Chadwick

Frank Mizer

Dawn Marie White

Carl Anderson

Louis Sorrentino

Michele Strassheim

Darren Caffery, Alt 1

Mark Starr, Alt 2

**MEMBERS ABSENT0**

Mike Jamnik

**ALSO PRESENT**

John Miller, Esq.

Brian Boccanfuso, PE, CME Engineering

Christopher Romano, Zoning Officer

Denise Sweet, Court Reporter

Pam O’Neill, Secretary

The Board Professionals were sworn

**OLD BUSINESS:**

**RESOLUTIONS:**

**BA-3174-10/19**

**Nicholas & Jennifer Netta**

**Block 44.21, Lot 3**

**287 Wherry Lane**

**Bulk Variance**

A motion to approve the resolution was made by Mr. Caffery and seconded by Mr. Sorrentino

Voting in Favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Anderson, Mr. Caffery, Mr. Mizer, Mr. Chadwick

The motion was approved and Resolution R-20-2020 was adopted.

**BA-3180-12/19**

**John & Susan Tekin**

**Block 44.02 Lot 5**

**215 Ketch Road**

**Bulk Variance**

A motion was made by Mr. Caffery and seconded by Mr. Mizer.

Voting in favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Anderson, Mr. Caffery,

 Mr. Mizer, Mr. Chadwick

The motion was approved and Resolution R-21-2020 was adopted.

**BA-3182-12/19**

**Diana DiSerio**

**Block 211.26 Lot 15**

**126 Monterey Drive**

**Bulk Variance**

A motion was made by Mr. Caffery and seconded by Mr. Anderson

Voting in favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Anderson, Mr. Caffery,

 Mr. Mizer, Mr. Chadwick

The motion was approved and Resolution R-22-20 was adopted.

**BA-3183-12/19**

**Kevin M. Sempkowski**

**Block 211.18, Lot 16**

**4 Toledo Drive**

**Bulk Variance**

A motion was made by Mr. Caffery and seconded by Mr. Mizer

Voting in favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Anderson, Mr. Caffery,

 Mr. Mizer, Mr. Chadwick

The motion was approved and Resolution R-23-20 was adopted

**BA-3185-12/19**

**Arno & Florence Weber**

**Block 1277.01, Lot 4.01**

**1 Sweeney Ave**

**Bulk Variance**

A motion was made by Mr. Caffery and seconded by Ms. Strassheim

Voting in favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Anderson, Mr. Caffery,

 Mr. Mizer, Mr. Chadwick

The motion was approved and Resolution R-24-20 was adopted

**NEW BUSINESS:**

**BA-3170-10/19**

**Brian & Eileen Mullen**

**Block 211.06 Lot 13**

**5 Obispo Dr**

**Bulk Variance**

The applicant was sworned and appeared before the Board. They are seeking a bulk variance to install an 321 s.f. elevated screened in porch and balcony with removal of old and replacement with new lower level deck surrounding an existing swimming pool. The applicant is was also seeking variance relief to legitimize the existing pool equipment location. Mr. Mullen advised the railing would be located 6-7 feet from the swimming pool. The setback for the proposed elevated porch is 15’ required and the applicant is proposing 13’. The applicant then testified additional relief needed for the bulk requirement of 5’/12’ side yard setback and he is proposing 5’/10’ setback.

Mr. Romano gave a summary of the application listing the bulk variance.

Chairman called for Public questions or comments, seeing none he closed the Public portion.

A motion was made by Ms. Strassheim and seconded by Ms. White

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

The application was approved

**BA-3175-C-11/19**

**Lee Childers**

**Block 27 Lot 62**

**519 Sunset Blvd**

**Bulk Variance**

The applicant participated in the testimony and was represented by Edward Murachanian, Esq & Joseph Kociuba, PE. Mr. Kociuba testified the house originally on the lot was destroyed by Sandy in 2012 and has been demolished. Mr. Kociuba testified that the bulk variances are necessary, due to the home not be able to be located any further west or east on the property due to CAFRA regulations. He also advised the owner received Variance approval in 2016 to rebuild, but the approval lapsed and they had to reapply, with a different proposal. The applicant is seeking to construct a 4-bedroom, 2.5 story elevated home with 2 story covered deck off the front & rear of home. The ground level will be used for parking and the 1.5 story upper level will be used for living space. Mr. Kociuba stated the slight deviation from the maximum eve height was caused by the pitch of the proposed roofing and the height of the proposed home would be compliant with Township code. The Board’s engineer, Brian Boccanfuso, asked why the staircase shown on the site plans as straight stairs to the bottom, differ from the staircase shown on the architecturals, which shows as 2 staircases to the bottom. The Applicant testified the 2 staircases

are proposed to provide easier access to the home. Mr. Boccanfuso, advised the applicant the site plans must be revised to match the Architecturals when submitted for Resolution Compliance review.

Mr. Romano gave a summary of the application listing the bulk variance.

The Chairman called for Public questions/comments and the following resident voiced comments:

Sworn was Ms. Lizbeth Lenza, 521 Sunset Blvd., and she commented about the size of the proposed home and the possibility of bottle neck at the end of the block due to contrition vehicles. The Applicant testified he would make sure his contractors don’t block any driveways and that all trash is removed from the work site.

The Chairman closed the Public portion.

A motion was made by Mr. Sorrentino and seconded by Ms. White

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

The application was approved

**BA-3177-11/19**

**Ruta Slepetys**

**Block 887 Lot 8**

**351 Iroquois Dr**

**Bulk Variance**

The applicant was sworn and testified she is seeking a bulk variance to construct a 8’7” x 5’2” front deck with stairs to access an existing front doorway. Ms. Slepetys stated the purpose of the deck was to provide addition space & increase the safety on the front accessway of the home. During the course of the review of the survey, it was discovered that the applicant also needed another bulk variance for the existing 8’ x8’ shed, which has a 1.9’ setback from the rear yard and 4’ is required. The Board agreed to also make the legitimization of the Shed apart of the application approval.

Mr. Romano gave a summary of the application listing the bulk variance.

Chairman called for Public questions or comments, seeing none he closed the Public portion.

A motion was made by Mr. Mizer and seconded by Ms. Strassheim

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

The application was approved

The Chairman called for a 5 minutes recess at 8:45pm and the meeting was called back to order at 8:50pm.

**BA-3178-12/19**

 **Alex & Yolanda Shaw**

 **Block 1125.01 Lot 1**

 **218 Dwight Place**

 **Bulk Variance**

The applicants were sworn and testified they are proposing a 16.5’ X 32.5’ pool and fencing. The applicants also need variances for the pool heater and fencing facing both Foster and Van Zile Rd. The applicant stated the location of the home is in a heavy commercial traffic area with no privacy and subject to littering. The applicant stated the home has 3 frontages with an conservation easement in the front of the lot. Mr. Boccanfuso advised the Board that in the 1995 subdivision , there may be language regarding the conservation easement that identifies the fencing and if so the Board of Adjustment can’t approve any fencing in the conservation easement area. He also advised there was a triangle easement dedicated to the Township. Mr. Miller advised the Board of Adjustment will need additional on the easements to move forward and recommended that the applicant contact an Engineer to assist. The application was carried to the July 8, 2020 meeting.

**BA-3184-C-12/19**

**Robert & Maryrose Grimbilas**

**Block 42.04 Lot 7**

**7 Cuttyhunk Road**

**Bulk Variance**

The applicant was represented by John Jackson, Esq., Bill Stevens, PE and builder, William Scharetman. The applicant’s professionals were sworn , then Mr. Jackson testified his clients proposed to build a 3, bedroom, 2 story, 3 car garage FEMA compliant home on the Barrier Island on a gravel road off Route 35 North. The footprint will be 1,664 s.f. with an 100 s.f. elevated & covered front porch with an exterior access staircase with +/- 175 s.f. upper level rear deck. The ground level will be used for parking and the 2-story upper level will be used as living space. The applicant will demolish the old home on this undersized lot and has sent out Buy/Sell letter to neighboring properties with no response and will forward copies to the Board for the file. Mr. Jackson testified the lot is 4,170 s.f., but 7,500 s.f. is required for R7-5 zone, but he listed multiple home in the immediate area with similar undersize lots. The application requires bulk variances for the Minimum lot area, lot width, lot depth, front setback, rear setback and maximum lot coverage by building and access staircase encroachment into front yard setback.

Mr. Jackson testified the applicant will be removing the outdoor shower per the comments from the Board’s Engineer, Mr. Boccanfuso. Mr. Boccanfuso advised the applicant to submit revised architectural plans that would show the removal of the shower and with that discussion, Mr. Jackson advise the peak and mean heights of the proposed home will be code compliant. Mr. Boccanfuso agreed ,since the propose height difference is less than 10% of the threshold limit. Mr. Jackson advised there would be no decking in the rear and the fencing would be 4’ in height at neighbors rearward , then 6’ fencing to run into existing 6’ fencing. The additional variances needed for the fencing was added to the record for the application.

Mr. Romano gave a summary of the application listing the bulk variance.

The Chairman called for Public questions/comments and the following resident voiced comments:

Sworn was Mr. Daniel Remler, 5 Cuttyhunk Rd., and he stated he was concerned about the size of the house and drainage, as will as the fencing he installed. Mr. Scharetman testified he would work with the neighbors to mediate any drainage issues.

The Chairman closed the Public Portion

A motion was made by Mr. Mizer and seconded by Mr. Chadwick

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

**ADJOURNMENT**

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

The meeting was adjourned at 10:15pm

Respectfully submitted by:

Pamela O’Neill