

January 20, 2016

A regular meeting of the Board of Adjustment was held in the Municipal Complex at 7:00 p.m.

Present

Mr. Langer
Dennis Raftery
Eileen Della Volle
Dawn Marie White
Stephen Leitner
Joseph Sorrentino

Also Present

John Miller, Esq.
Brian Boccanfuso
Tara Paxton
Sean Kinnevy
Denise Sweet

Absent

Frank Mizer
Jeffrey Schneider

Mr. Langer led the salute to the flag; and the roll was called.

The Board Professionals were sworn in.

BA-2957- Summerann Dai

Joseph Gleason was sworn in. He will be installing the fence. The applicant is proposing to install a 6 ft. high solid wood fence at 0 ft. from Mantoloking Road where 25 ft. is required by the Ordinance. Also the Code requires a minimum setback of 10 ft. from the street pavement and a setback of only 3 ft. is proposed. The applicant would like to line up her fence with the existing fences on Mantoloking Road. The applicant agreed to move the existing shed in 5 ft. from the property line. The applicant also agreed to consolidate lots 10 and 11.

Public portion closed

Factual Findings

Mr. Raftery- The site is in the R-7.5 zone. There is an existing 2 story dwelling on the lot. The lot has double frontage which causes a hardship. The applicant is proposing to install a 6 ft. solid wood fence at 0 ft. from the property line at Mantoloking Road where 25 ft. is required by the Ordinance and 3 ft. from the street pavement where 10 ft. is proposed by the Ordinance. The fence will line up with the other fences on Mantoloking Road. The applicant agreed to consolidate lots 10 and 11. There were no comments from the audience.

Mr. Sorrentino- Concurred

Ms. Della Volle- Concurred

Ms. White- Concurred

Mr. Leitner- Concurred

Mr. Langer- Concurred.

A motion was made to approve case BA-2957- Summerann Dai. It was moved by Mr. Leitner and seconded by Ms. White. All other eligible Board members voted AYE.

BA-2926- Keith and Grace Van Arsdalen

John Jackson was present to represent the applicant.
Charles Lindstrom and Keith Van Arsdalen were sworn in.

This application was carried from the July 15, 2015 meeting. The applicants are seeking Minor Site Plan approval and a Use Variance to demolish and remove an existing storm-damaged single story residential dwelling and construct a new 2 story, 3 level, 3 bedroom elevated home with a garage and storage below. The concept parking plan for West Marion Street has been approved but plans have not be signed yet. A minor change has been made to the previous plan. No construction has been moved any closer to the water. There will be 1 parking space under the home.

EVIDENCE

A-1- Copy of the old floor plan

Public portion closed

Factual Findings

Ms. White- The site is in the R-7.5 zone. Six homes will be reconstructed on the site. The applicant's home will be FEMA compliant. This application will not impair the zoning plan and will not be a detriment to the neighborhood or surrounding area.

Mr. Raftery- Concurred

Ms. Della Volle- Concurred

Mr. Leitner- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2926- Keith and Grace Van Arsdalen. It was moved by Mr. Leitner and seconded by Ms. White. All other eligible Board members voted AYE.

BA-2922- Brian Duffy

Brian Duffy was sworn in.

EVIDENCE

A-1- Photo of proposed deck

Mr. Duffy has obtained a building permit for the reconstruction of his home. The deck on the home requires a variance. Mr. Duffy submitted revised plans to the Board with a change to the deck.

Mr. Miller requested Mr. Duffy to come back to the Board with the updated plans showing the correct size and location of the deck in question. Mr. Miller also suggested that Mr. Duffy have his engineer attend the next meeting.

This application was carried to March 16, 2016. No new notice is required. The time was waived to April 1, 2016.

Recess: 8:20 Meeting resumed 8:30 p.m.

BA-2941-Bricktown UE c/o Urban Edge Properties

John Giunco was present to represent the applicant.

Andrew Janiw was sworn in. (planner)

Tim Lurie was sworn in. (engineer)

Scott Kennel was sworn in.(traffic engineer)

The applicant is proposing to construct a +/- 3,757 square foot building addition along the southerly side of the existing multi- tenant shopping center on the site. Thirteen parking spaces are proposed to be removed directly adjacent to the new building addition, but modifications to the existing parking lot elsewhere on the site are also proposed so that there is no net reduction in parking on the site. Modifications to the internal drive aisle through the site are also proposed to allow for the reconfiguration of the parking areas. The following bulk variances are requested:

Item	Required	Existing	Proposed
Maximum permitted impervious coverage	65%	87%	88%

Minimum Landscape area as a percentage of Total lot area	20%	13%	12%
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Existing nonconformity

Minimum parking area setback to street Right-of-way	20 ft.	0 ft.	0 ft.
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The last store closest to Route 70 is now closed. Any new signs proposed will be consistent with the old ones in size and shape. The impervious coverage will remain the same.

EVIDENCE

A-1- Rendering of the Site Plan

A-2- Colored rendering of the corner of the store proposed to be made larger

A-3- Colored rendering of the elevations.

A-4- Rendering of an aerial photo of the site.

Scott Kennel testified the existing parking spaces are now 9 ft. x18 ft. The new spaces will measure 10 ft. x 18 ft. The parking configuration near the McDonald's restaurant has never been changed. Additional spaces will be added at that site. In the original approval, 91 green bank spaces were approved for use if needed. There are 1,036 spaces on site. With the green bank spaces added there are 1,148 spaces that could be available. Other than holidays there is adequate parking on the site. At the holidays, the parking lot is monitored by the Brick Police Dept. Sidewalks across route 70 were discussed. The Board decided that sidewalks in that location would be dangerous to the public. The Board also decided that the Sidewalk Fund fees should be waived for the applicant.

The materials used for this site will be consistent with the old building materials. Windows will be installed on the new side of the building. The addition will meet all height requirements. This application is a permitted use in the zone but the applicant does not meet all the conditions of the permitted use. The site already has existing non-conformities. This application is an improvement to the site and help to revitalize the site.

The applicant agreed to consolidate lots 7, 8, 9, 9.03 15 and 16. The plantings will be maintained on the site.

Public portion closed

Factual Findings

Mr. Raftery- The site is in the B-3 zone. The applicant is requesting both C and D variances. The site is Brick Plaza Shopping Center adding square footage to square off the store closest to route 70. The applicant agreed to comply with paragraph # 8 in the CME report dated August 5, 2015. The new signage will be consistent with the already existing signage. The sidewalks have

been waived and the contribution to the Sidewalk Fund has also been waived for the applicant. The applicant agreed to consolidate lots 7, 8, 9, 9.03, 15 and 16. This application is an improvement to the site. It will cause no detriment to the area. There were no objectors in the audience. This application will not impair the zoning plan.

Ms. Della Volle- Concurred

Ms. White- Concurred

Mr. Leitner- Concurred

Mr. Sorrentino- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2941- Bricktown UE c/o Urban Edge Properties. It was moved by Ms. White and seconded by Ms. Della Volle. All other eligible Board members voted AYE.

A motion was made to approve the Resolution as posted for case BA-2935- Fernando and Antonia Semiao. It was moved by Mr. Leitner and seconded by Ms. Della Volle. Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Raftery, Ms. Della Volle and Mr. Langer voted AYE. Mr. Schneider, Mr. Mizer were absent.

A motion was made to approve the Resolution as posted for case BA-2954- George Haarlander. It was moved by Mr. Raftery and seconded by Ms. Della Volle. Ms. White, Mr. Raftery, Ms. Della Volle, Mr. Leitner, Mr. Sorrentino and Mr. Langer voted AYE. Mr. Schneider and Mr. Mizer were absent.

A motion was made to approve the Resolution as posted for case BA-2956-Robert Maltese. It was moved by Ms. Della Volle and seconded by Ms. White. Mr. Raftery, Mr. Leitner, Ms. White and Mr. Langer voted AYE. Ms. Della Volle and Mr. Sorrentino voted no. Mr. Mizer and Mr. Schneider were absent.

A motion was made to adjourn the meeting at 9:50 p.m. All Board members voted AYE.

Respectfully submitted,

Christine Papa, Secretary
Board of Adjustment

