

November 4, 2015

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

Present

Harvey Langer  
Eileen Della Volle  
Dawn Marie White  
Jeffrey Schneider  
Jennifer Grenier

Also Present

John Miller, Esq.  
Brian Boccanfuso  
Sean Kinnevy  
Colleen Vaughn

Absent

Dennis Raftery  
Frank Mizer  
Stephen Leitner  
**Joseph Morrell**

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

The Board Professionals were sworn in.

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

Mr. Langer read a letter from John Giunco requesting the Board to carry this application to the January 20, 2015 meeting without further notice. The Board agreed to carry this application. Mr. Giunco waived the time to February 19, 2015. No further notice is required.

**BA-2946- Tine and Joe Simonetti**

Charles Lindstrom was present with the applicant.

Joseph and Tine Simonetti and Charles Lindstrom were sworn in.

The applicants are requesting to construct a rear elevated deck, about 35 ft. X 22 ft. with a staircase. The applicant also proposes to place a hot tub, 7.3 ft. X 7.4 ft. on the proposed deck. The deck is being proposed at a rear setback of 7.1 ft. where 15 ft. is required and the hot tub at 8.8 ft. from the rear setback where 15 ft. again is required. The home has been elevated due to damage caused by Super Storm Sandy.

**EVIDENCE**

A-1- Colored photo of the existing home being raised.

A-2- Colored photo of the neighbor's home to the south

A-3- Colored photo of the neighbor's home to the north

The applicant has a 2 tiered deck with 3 steps down. The applicant agreed to lower the hot tub on the deck not to block the neighbor's view. The home is located in the Limited Wave Action Zone. Ms. Simonetti stated that the lower deck flooded just from rain. She also stated that small sail boats will be stored under the deck.

The stairs will meet all setbacks.

Grace Hartman was sworn in. She is the neighbor to the north. She stated she was happy with the changes made to the location of the hot tub. She was worried that it would block her view.

Public portion closed

Factual Findings

Ms. White- The site is in the R-5 zone. The applicant is proposing to construct a rear elevated deck with a staircase along with a hot tub to be located on the deck. The deck will be located at 7.1 ft. from the rear property line where 15 ft. is required and the hot tub will be located at 8.8 ft. from the rear property line where 15 ft. again is required. Being in the Limited Wave Action Zone creates a hardship for the applicant. One comment was made from the neighbor but she is now satisfied with the location of the hot tub. The benefits out- weigh any negative factors. The application should be approved.

Ms. Grenier- Concurred

Ms. Della Volle- Concurred

Mr. Schneider- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2946- Tine and Joe Simonetti. It was moved by Ms. Della Volle and seconded by Ms. Grenier. All other eligible members voted AYE.

### **BA-2949- Ronnie Jampel**

Ronnie Jampel was sworn in. He is requesting to construct a front platform deck and steps 5 ft. X 24 ft. 4 inches, 121.65 square feet and 8 ft. high to be used as an access platform for the electric meter. The electric company now requires a platform with steps as access to the electric meter. The front staircase to the steps will measure 14.7 ft. from the front setback where 20 ft. is required.

## EVIDENCE

A-1- Photo of the existing home

A-2- Photo of the existing home and neighbor's home

The existing side staircase will be removed. The decks and stairs do not have to meet the combined setback requirements.

Public portion closed

## Factual Findings

Ms. White- The site is in the R-5 zone. The applicant is requesting to construct a front platform and steps. The platform will measure 5 ft. X 24' 4", 121.65 square ft. and be 8ft. high. The purpose of the platform is to have access to electric meter. The benefits out-weigh any negative factors. No comments were made from the audience. The application should be approved.

Ms. Grenier- Concurred

Mr. Schneider- Concurred

Ms. Della Volle- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2949- Ronnie Jampel. It was moved by Ms. Grenier and seconded by Ms. Della Volle. All other eligible members voted AYE.

A motion was made to approve the Resolution as posted for case BA-2944- James Rice. It was moved by Ms. White and seconded by Ms. Della Volle. Ms. White, Ms. Grenier, Ms. Della Volle, Mr. Schneider and Mr. Langer voted AYE. Mr. Raftery, Mr. Mizer, Mr. Leitner and Mr. Morrell were absent.

A motion was made to approve the Resolution as posted for case BA-2921- Rocon Construction. It was moved by Ms. White and seconded by Ms. Della Volle. Mr. White, Ms. Grenier, Ms. Della Volle, Mr. Schneider and Mr. Langer voted AYE. Mr. Raftery, Mr. Mizer, Mr. Leitner and Mr. Morrell were absent.

A motion was made to adjourn the meeting at 7:40 p.m. All members voted AYE.

Respectfully submitted,

Christine Papa, Secretary  
Planning Board/Zoning Board