

April 20, 2016

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  
Frank Mizer  
Dawn Marie White  
Stephen Leitner  
Louis Sorrentino  
Carl Anderson

Also Present

John Miller, Esq.  
Brian Boccanfuso  
Sean Kinnevy  
Denise Sweet

Absent

Dennis Raftery  
Jeffrey Schneider

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

The Board Professionals were sworn in.

**BA-2804- JSM at Martin Boulevard**

Mr. Langer read a letter into the record from Rose Anne M. Quinn dated April 19, 2016 requesting this application be adjourned. This application will be given a new hearing date. The time was waived an additional 90 days.

Mr. Langer stated that this application would be carried and a new date will be given. The applicant must re-notice with the new hearing date.

**BA-2966- Jones Tide Pond, LLC**

John Doyle was present to represent the applicant.  
Joseph Gates was sworn in. (architect)  
Robert Kuhne was sworn in. (engineer)

William and James Madden were sworn in. They are the owners of the home.

The applicants are requesting to elevate the existing dwelling on the property and relocate the existing dwelling within the property to a point located closer to the center of the lot. Also a new +/- 675 sq. ft. elevated rear deck and a new +/- 208 sq. ft. elevated covered front porch are also enclosed. The property is located in the B-2 zone requiring an approval of a Use Variance.

The following variances are required:

Item	Permitted	Existing	Proposed
Minimum required lot area	20,000 s.f.	15,806 s.f.	15, 806 s.f.
Minimum required lot width	125 ft.	108.5 ft.	108.5 ft.
Minimum front setback (Beaton Rd.)	50 ft.	30.1 ft.	30.0 ft.

The existing lot is undersized and is located on a corner with 2 front setbacks. The home was constructed in 1965. The grading under the home will be improved. The home will have adequate parking. The applicant's engineer stated that the applicant would rather not install sidewalks. Mr. Kinnevy stated the sidewalks were not necessary at this site.

The Board stated that construction details for the driveway must be submitted to the Board for review.

#### EVIDENCE

##### A-1- Colored rendering of the architectural plan

Mr. Gates stated that the main home will not change. The existing garage will be raised and become a bonus room. The new garage will be constructed larger than the existing garage. A front porch and back deck will be added to the home. All plumbing and electrical units will be raised and will meet all township codes.

Public portion closed

#### Factual Findings

Mr. Mizer- The property is in the B-2 zone. The home was damaged by Super Storm Sandy. The applicant is proposing to raise the home and add a covered front porch and back deck. The applicant must provide Site Triangle and construction details for the driveway for the board's engineer to review. The variances requested are provided above as well as in the CME report dated January 19, 2016. This application will cause no detriment to the area. The applicant's home will be improved and meet all township codes. The positive criteria out-weighs the negative.

Ms. Della Volle- Concurred

Ms. White- Concurred

Mr. Leitner- Concurred

Mr. Sorrentino- Concurred

Mr. Andrews- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2966- Jones Tide Pond, LLC. It was moved by Ms. White and seconded by Ms. Della Volle. Mr. Mizer, Ms. Della Volle, Ms. White, Mr. Leitner, Mr. Sorrentino, Mr. Andrews and Mr. Langer voted AYE. Mr. Raftery and Mr. Schneider were absent.

Recess: 7:20 Meeting resumed: 7:30 p.m.

### **BA-2943- Anita West**

David Shaheen was present to represent the applicant.

Louis West was sworn in. He is the son of the applicant.

The applicant is proposing to construct a raised deck, 10' X 16' X 36', on the northerly side of the home. The applicant is proposing to construct the deck 15.3 ' from the Ocean Avenue side of the home where 25' is required by the Ordinance. The applicant is also proposing a side setback of 3 'where 6' is proposed by Ordinance. The home was constructed in 1968 and is situated on a corner lot. The deck will wrap around the home. The existing rear door will be used.

### **EVIDENCE**

A-1- Photo of the north west corner of the home

A-2- Photo of the front of the home

The Board requested the applicant to submit a new survey depicting the deck on the home with all proper dimensions. The survey submitted with the application did not have proper dimensions. The applicant agreed.

Public portion closed

### **Factual Findings**

Ms. White- The property is located in the R-7.5 zone. A rear elevated deck is proposed on the existing single family dwelling. The deck will be situated on the north side of the home. The applicant agreed to submit a new survey with all the proper dimensions for the proposed deck.

There were no comments from the audience. This application will enhance the home and will cause no negative impact to the neighborhood or area.

Ms. Della Volle- Concurred

Mr. Mizer- Concurred

Mr. Leitner- Concurred

Mr. Sorrentino- Concurred

Mr. Andrews- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2943- Anita West. It was moved by Mr. Mizer and seconded by Ms. Della Volle. Ms. White, Ms. Della Volle, Mr. Mizer, Mr. Leitner, Mr. Sorrentino, Mr. Andrews and Mr. Langer voted AYE. Mr. Raftery and Mr. Schneider were absent.

**BA- 2969- Peter J. and Suzanne M. Dougherty**

William Voeltz was sworn in. (engineer)

Peter Dougherty was sworn in.

The applicant proposes to construct an in-ground pool 15' X 26', a wood deck, 44' X 28' and a pergola 14' X 14'. The Township Code requires a minimum setback of 15 feet from the waterward face of a bulkhead for a swimming pool and a setback of only about 10 feet is proposed. A deck is required to be setback at least 15 feet from the bulkhead and a setback of only 2 feet is proposed. A minimum rear setback of 15 feet for the pergola is required and a setback of 13.9 feet is proposed. The Board required a new plot plan to be submitted for review depicting the proposed structures with all the proper dimensions.

Public portion closed

Factual Findings

Ms. White- The property is in the R-7.5 zone. The applicant is proposing to construct an in ground pool, wood deck and pergola. The variances requested are listed above and also in Sean Kinnevy's report dated April 20, 2016. There were no comments from the audience. This application will cause no negative impact to the area and the positive criteria out-weighs the negative.

Mr. Anderson- Concurred

Mr. Sorrentino- Concurred

Mr. Leitner- Concurred

Mr. Mizer- Concurred

Ms. Della Volle- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA-2969- Peter and Suzanne Dougherty. It was moved by Mr. Mizer and seconded by Ms. Della Volle. Ms. White, Mr. Anderson, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Ms. Della Volle and Mr. Langer voted AYE. Mr. Raftery and Mr. Schneider were absent.

A motion was made to approve the Vouchers. It was moved by Mr. Leitner and seconded by Ms. White.

A motion was made to approve the Resolution as posted for case BA-2974- Gary and Lisa DeVincenzo. It was moved by Mr. Mizer and seconded by Mr. Leitner. Mr. Mizer, Ms. White, Mr. Leitner, Mr. Sorrentino, Ms. Della Volle and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Raftery and Mr. Schneider were absent.

A motion was made to approve the Resolution as posted for case BA-2971- Scott and Lisa Vanderveer. It was moved by Ms. Della Volle and seconded by Ms. White. Mr. Sorrentino, Ms. White, Mr. Leitner, Mr. Mizer, Ms. Della Volle and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Raftery and Mr. Schneider were absent.

A motion was made to adjourn the meeting at 8:20 p.m. All members voted AYE

Respectfully submitted,

Christine Papa, Secretary  
Planning Board/Board of Adjustment

