

April 6, 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
Jeffrey Schneider
Carl Anderson

Also Present

John Miller, Esq.
Bennet
Sean Kinnevy
Denise Sweet

Absent

Dennis Raftery

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

The Board Professionals were sworn in.

BA-2959- Brigitte Van Note

Mr. Langer read into the record a letter dated April 1, 2016 from Harvey York, attorney for the applicant, requesting this application be carried to a later date. Revised plans were submitted and the Board Professionals needed more time to review them.

This application was carried to the May 18, 2016 meeting. No further public notice is required. Mr. York waived the time to August 3, 2016.

BA-2971- Scott and Lisa Vanderveer

John Jackson was present to represent the applicant.

The applicant is seeking to demolish and remove the existing single family residence and construct a new 4-level, 5 bedroom single family dwelling with a partially covered deck off the rear and northerly sides of the first floor, 2 covered balconies off the second floor and a third covered balcony off the third floor. The 3 upper levels of the home will be used as living space. The applicants will replace the existing bulkhead with a new vinyl bulkhead and construct a 4 ft. wide dock along the new bulkhead.

The following variances have been requested:

Item	Permitted	Existing	Proposed
Minimum Front Setback	20 ft.	10.4 ft.	10.7 ft.
Minimum Side Setback to bulkhead	15 ft.	20.2 ft.	12.2 ft.
Maximum projection of access Staircase/entry stoop into front Setback	10 ft.	12.1 ft.	14.7 ft.
Maximum area of access staircase /entry stoop within rear setback	50 s.f.	N/A	54.1 s.f.
Maximum lot coverage by building	35%	29.1%	35.8%

The property is located in the CAFRA zone and it appears that the proposed development is eligible for a permit-by-rule. Because greater than 5,000 square feet of disturbance is proposed, it appears that an Ocean County Conservation District approval will be required. The proposed home is located at the end of a cul-de-sac and only has only 1 neighbor. The driveway will be repaved and green bank parking will be provided on the gravel area. The existing chain link fence will be removed. No height variance is needed. The upgrade to the home will meet all township codes. Homes in the area are getting larger and this home will fit into the area.

Mr. Kinnevy stated he had no objections to this application.

Public portion closed

Factual Findings

Ms. White- The property is located in the R-5 zone. The existing home was damaged by Super Storm Sandy. The applicants are proposing to demolish the home and construct a new one. The variances requested are listed above and in the CME report dated February 29, 2016. There were no comments from the audience. This application will cause no detriment or negative impact to the area. The positive criteria out-weighs the negative.

Mr. Schneider- Concurred

Mr. Sorrentino- Concurred

Mr. Leitner- Concurred

Mr. Mizer – Concurred

Ms. Della Volle- Concurred

Mr. Langer- Concurred

A motion was made to approve case BA2971- Scott and Lisa Vanderveer. It was moved by Mr. Mizer and seconded by Mr. Leitner. Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Mr. Schneider, Ms. Della Volle and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Raftery was absent.

BA-2974- Gary and Linda Lennox DeVincenzo

John Jackson was present to represent the applicant.

Charles Lindstrom was sworn in.

Richard Tokarski was sworn in. (architect)

The property is located on Fairview Ave. and is 5,409 s.f. which is smaller than many lots in the area. The applicants are requested variances to demolish the existing single family residential swelling on the property and construct a new 3 level, 2 story, 3 bedroom single family home. The ground level is proposed to contain a garage, elevator access, a half bathroom, a bar, an exterior shower and storage and mechanical areas. Partially elevated decks are proposed off of both living levels and a rear patio containing a hot tub and a fire pit is also proposed. The variances requested are as follows:

Item	Permitted	Existing	Proposed
Minimum lot area	15,000 s.f.	5,409 s.f.	5,409 s.f..
Minimum lot width	100 ft.	40 ft.	40 ft.
Minimum front setback	35 ft.	65.9 ft.	31.2 ft.
Minimum side setback	12 ft.	4.8 ft.	5.3 ft.
Maximum lot coverage by building	25%	10.9%	26.3%
Minimum side setback-accessory Structure (hot tub)	10 ft.	N/A	2.5 ft.
Minimum side setback- accessory Structure (fire pit)	10 ft.	N/A	6.0 ft.

The applicant has submitted for a CAFRA permit. No permit has been approved at this time. Buy sell letters were sent to the adjoining property owners. No responses were made.

Building Heights

Item	Permitted	Proposed
Maximum Building Eave Height	26 ft.	26.0 ft.
Maximum Building Mean Height	35 ft.	33.1 ft.
Maximum Building Peak Height	38.5 ft.	34.5 ft.

The applicant meets RSIS standards for parking. The applicants are proposing a grading wall along both side yards to allow for the installation of the paver patio in the side and rear yards. It appears the applicant will not require approval from the Ocean County Soil Conservation District.

Mr. Tokarski stated that the home is ADA accessible.

EVIDENCE

- A-1- Photo of glass railings
- A-2- Photo of cable railings

Public portion closed

Factual Findings

Mr. Mizer- The applicants are proposing to demolish the existing single family dwelling and construct a new home. The variances requested are listed above and also in the CME report dated February 26, 2016. This home will have no negative impact on the area. It is an upgrade and the new construction will meet all township codes.

Ms. White- Concurred

Mr. Leitner- Concurred

Mr. Sorrentino- Concurred

Mr. Schneider- Concurred

Mr. Langer- Concurred

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

A motion was made to approve the Vouchers as posted. It was moved by Ms. White and seconded by Ms. Della Volle. Mr. Mizer, Ms. Della Volle, Ms. White, Mr. Leitner, Mr. Sorrentino, Mr. Schneider and Mr. Langer voted AYE. Mr. Anderson was present but not voting. Mr. Raftery was absent.

A motion was made to approve the Resolution as posted for case BA-2695- The Kamson Corporation. It was moved by Ms. White and seconded by Mr. Leitner. Ms. White, Mr. Schneider, Ms. Della Volle, Mr. Mizer, Mr. Leitner and Mr. Langer voted AYE. Mr. Sorrentino and Mr. Anderson were ineligible. Mr. Raftery was 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/Zoning Board