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

Was held on Wednesday, December 2, 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

Louis Sorrentino

Michele Strassheim

Darren Caffery, Alt 1

Mark Starr, Alt 2

**ABSENT**

Mike Jamnik

**ALSO PRESENT**

John Miller, Esq.

Brian Boccanfuso, PE, CME Engineering

Tara Paxton, Township Planner

Chris Romano, Zoning Officer

Denise Sweet, Court Reporter

Lauren Frank, Secretary

The Board Professionals were sworn.

**OLD BUSINESS:**

**VOUCHERS**

A motion to approve the vouchers was made by Mr. Mizer and seconded by Ms. Strassheim

In favor: Ms. White, Mr. Sorrentino, Mr. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

**RESOLUTIONS:**

**BA-3189-PSP-FSP-C-D-1/20**

**Lombardi Residential, LLC**

**Block 106, Lot 1**

**406 Mantoloking Road**

**Preliminary & Final Site Plan Approval & Bulk Variances**

A motion to approve the resolution was made by Mr. Mizer and seconded by Ms. Strassheim.

In favor: Ms. White, Mr. Sorrentino, Mr. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

Resolution R-53-2020 was approved.

**BA-3210 8/2020**

**William and Dorothy Fullam**

**Block 324.39, Lot 1**

**69 Jib Lane**

**Bulk Variance**

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

In favor: Mr. Sorrentino, Mr. Mizer, Mr. Caffery, Mr. Starr, Mr. Chadwick.

Resolution R-54-2020 was approved.

**BA-3211 8/2020**

**James & Ann Marie Wiggins**

**Block 43.03, Lot 16**

**335 S. Bay Drive**

**Bulk Variance**

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

In favor: Mr. Sorrentino, Mr. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

Resolution R-55-2020 was approved.

**NEW BUSINESS:**

**BA-3213-C-9/20**

**Joseph & Martha Papa**

**Block 892, Lot 4**

**368 Iroquois Drive**

**Bulk Variance**

The Chairman announced this case will not be heard due to a deficient notice.

**BA-3217-9/20**

**Thomas & Noreen Kelly**

**Block 44.17, Lot 4**

**307 Barkentine Lane**

**Bulk Variance**

Lynne Dunn, Esq. appeared along with the homeowners Tom and Noreen Kelly and Matthew Wilder, Engineer and Planner. Ms. Dunn stated the Kelly’s are prosing to construct an in-ground pool in the rear of the property where a 15-foot setback is required from the bulkhead and 8.9 feet is proposed, and a rear yard setback of 0 feet is proposed whereas 5 feet is required.

Mr. Wilder testified the applicants have chosen this location for their 10 x 20 foot in-ground pool because it is the widest section of the rear yard and the pool would be located the farthest from the home. He stated the applicants will comply with all CAFRA Permit By-Rule Regulations and the proposed pool will not hinder the water view for any of the adjacent neighbors.

Brian Boccanfuso, Board Engineer, questioned if the fence for the pool will be pool compliant.

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

Chairman called for public comments or questions.

Craig Schneider, 305 Barkentine Lane, was sworn in. Mr. Schneider testified that he neighbors the side of the property where the proposed pool will be and he has no concern.

The Chairman close the public portion.

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

In favor: Ms. White, Mr. Sorrentino, Ms. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

The application was approved.

**BA-3214-9/20**

**Nicholas Forte**

**Block 1297.53, Lot 4**

**347 17th Ave**

**Bulk Variance**

The applicant Nicholas Forte was sworn in for testimony. Mr. Forte testified he is seeking to legitimize an existing covered outdoor bar on his property. His rear yard setback requirement is 15 feet where he is proposing 3 feet for the outdoor covered bar that was constructed by the previous owner. Mr. Forte bought the property in 2019 and was unaware that the structure required a permit. Mr. Forte expressed difficulty to move and relocate the covered bar because it is anchored to the ground.

Brian Boccanfuso, Board Engineer, expressed his only concern that the runoff of the water from the roof of the outdoor bar be kept away from his neighbor’s property.

Mr. Mizer asked if the applicant is willing to abide to the construction department if approved to have the footings inspected.

Mr. Sorrentino asked if there was electric or plumbing at the bar.

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

Chairman called for public comments or questions.

Heather Carlotz, 344 18th Avenue, was sworn in. She stated she is the neighbor and the roof of the outdoor bar drains onto her property and there is some noise from the applicant at night with the television.

The applicant stated he will install a gutter, drywell, and stone trench which would drain the water away from the neighboring property into the stone area.

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

The Chairman close the public portion.

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

In favor: Ms. White, Mr. Sorrentino, Ms. Strassheim, Mr. Caffery, Mr. Starr.

The application was approved.

**BA-3216-9/20**

**June Griffin**

**Block 270, Lot 108**

**102 Bayview Drive**

**Bulk Variance**

The applicant June Griffin was sworn in. She stated she is seeking to legitimize an existing outdoor gazebo that was built in 2012 right before Sandy. Ms. Griffin stated the sun exposure on that side of her house is very strong so she sought out a contractor to construct the gazebo. She hired a contractor, around the time of Sandy, who did the work and did not take out permits for the project and he was later to be found as a scammer. She stated the required side setback is 15 feet and the existing setback is 2 feet and the rear setback is 15 feet and the existing setback is 11 feet. Ms. Griffin stated the gazebo fronts an abandoned lot and she never received a complaint in all the years it has been there.

Mr. Mizer asked if there was electric to the gazebo at which the applicant stated there was and she will be obtaining a permit for the electric.

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

Chairman called for Public questions or comments or email that were received for this application, seeing none he closed the Public portion.

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

In favor: Ms. White, Mr. Sorrentino, Ms. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

The application was approved.

**BA-3220-11/20**

**Christopher Loughran
772 South Drive**

**Block 944, Lot 72**

**Bulk Variance**

The applicant Christopher Loughran was sworn in. Mr. Loughran testified he is proposing to install a backup generator on a 7 foot by 4 foot raised platform. The required front setback is 20 feet and proposed setback is 11 feet 5 inches. Mr. Loughran testified the use of the generator is for his son for a medical need for electricity in the home. He stated the generator and platform would not obstruct any views for the neighbors.

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

Chairman called for Public questions or comments or email that were received for this application, seeing none he closed the Public portion.

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

In favor: Ms. White, Mr. Sorrentino, Ms. Mizer, Ms. Strassheim, Mr. Caffery, Mr. Starr, Mr. Chadwick.

The application was approved.

**ADJOURNMENT**

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

The meeting was adjourned at 8:45 pm

Respectfully submitted by:

Lauren J. Frank