

CAUCUS SESSION: 7:15 P.M. Second Floor Conference Room
Deal and Monmouth Roads
Oakhurst

REGULAR MEETING: 7:30 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS

PRESENT: Maureen Bonney, Alt I
John Fuller, Alt IV
Jane Grabelle
Russell Malta
Eric Menell
Henry Schepiga, V Chair
Peter Siano, Alt III
Richard Van Wagner
James Worrell
Warren Goode, Chairman

MEMBERS

ABSENT: John Napolitani, Alt II

OTHERS PRESENT Mark A. Steinberg, Esq., Zoning Board Attorney
William Fitzgerald, PE, Board Engineer
Marianne Wilensky, PP, Planning Administrator
Rachel Montemarano, Board Secretary
Recording Secretary

Chairman Warren Goode announced that the notice requirements for the Open Public Meetings Act have been satisfied, a copy of the notice was sent to the Asbury Park Press and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk on October 14, 2015.

RESOLUTION MEMORIALIZATIONS

Mark and Beth Weaver

Block 130 Lot 8
1314 Vina Avenue
Wanamassa
Certification of Non-Conforming
Use

MOVED: Grabelle **SECOND:** Worrell
FAVOR: Bonney, Grabelle, Malta, Siano,
Van Wagner, Worrell
OPPOSED: None
INELIGIBLE: Fuller, Menell, Schepiga, Goode
ABSENT: Napolitani

Dennis Tactaquin

Block 105 Lot 10
1315 Birch Avenue
Wanamassa
Bulk Variance Approval

MOVED: Grabelle **SECOND:** Worrell
FAVOR: Bonney, Grabelle, Malta, Menell,
Van Wagner, Worrell
OPPOSED: None
INELIGIBLE: Fuller, Schepiga, Siano, Goode
ABSENT: Napolitani

Glenn and Margaret Morgan

Block 64 Lot 2
708 Palmer Avenue
West Allenhurst
Bulk Variance Approval

MOVED: Grabelle **SECOND:** Worrell
FAVOR: Bonney, Grabelle, Malta, Siano,
Van Wagner, Worrell
OPPOSED: None
INELIGIBLE: Fuller, Menell, Schepiga, Goode
ABSENT: Napolitani

Arnie Bollhardt

Block 141 Lot 11
920 Highway 35
Ocean
Denial of Modification of
Prior Approval

MOVED: Menell **SECOND:** Worrell
FAVOR: Malta, Menell, Van Wagner, Worrell
OPPOSED: None
INELIGIBLE: Bonney, Fuller, Grabelle, Schepiga,
Siano, Goode
ABSENT: Napolitani

CASES CARRIED to February 18, 2016

Laurene Feeney

Block 118 Lot 7
1406 Unami Avenue
Wanamassa

IL Investments, LLC

Block 26.02 Lot 3
6 Calvin Terrace
Oakhurst

Morris Dweck

Block 43 Lots 1, 2
300 Parker Avenue
West Deal

**Coach's Enterprises
d/b/a Otto's**

Block 34 Lot 11
1610 Highway 35
Oakhurst

Emily Kassin

Block 47 Lot 5
333 Holly Terrace
West Deal

Jack and Deborah Ades

Block 8 Lot 32
11 Old Farm Road
Oakhurst

**St. George Greek
Orthodox Church**

Block 1.02 Lot 73
1033 West Park Avenue
Ocean

Sandra Reeves

Block 76 Lot 2
491 S. Edgemere Drive
West Allenhurst

R. Christoper Chambers

Sara Griesbach
Block 9 Lot 56
247 Howard Avenue
Shadow Lawn Manor

CAUCUS SESSION: 7:35 P.M. First Floor Prosecutor's Office, Municipal Building
Deal and Monmouth Roads
Oakhurst

CLOSED SESSION: The Board moved into closed session to discuss litigation.

REGULAR MEETING

CONTINUED: 7:55 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

ROLL CALL:

MEMBERS

PRESENT: Maureen Bonney, Alt I
John Fuller, Alt IV
Jane Grabelle
Russell Malta
Eric Menell
Henry Schepiga, V Chair
Peter Siano, Alt III
Richard Van Wagner
James Worrell
Warren Goode, Chairman

MEMBERS

ABSENT: John Napolitani, Alt II

RESOLUTION for defense of Yeshiva Gedola Na'os Yaakov, Inc., a New Jersey nonprofit corporation and Zebra Holdings II, LLC, a New Jersey Limited Liability Company, Plaintiffs vs. Township of Ocean, N.J. and Zoning Board of Adjustment of the Township of Ocean, Defendants, filed in the United States District Court for the District of New Jersey, Civil Docket No. 16-00096.

In Favor: Bonney, Grabelle, Malta, Menell, Van Wagner, Worrell
Opposed: None
Ineligible: Fuller, Siano
Abstained: Schepiga, Goode
Absent: Napolitani

CONTINUED CASE

Silmar Oliveira

Block 22 Lot 46
243 Overbrook Avenue
Oakhurst
Zone R-4

This is an application to erect a single family dwelling with a deck and inground pool with variances for lot width under minimum, stories above grade over maximum, side yard setback under minimum, lot coverage over maximum and construction in a flood plain.

Attorney for the applicant: Paul R. Edinger, Esquire

Mr. Malta served as chairman for this application.

Attorney for the applicant, Paul R. Edinger, Esquire said that he will continue with the engineer, John Buletza.

Mr. Buletza submitted a catalog detail of the pervious paver driveway that they have agreed to use, which was marked into evidence A-5. He explained that the paving system will reduce the total impervious coverage by 5.3%. Mr. Buletza referred to sections of the Ocean Township Flood Damage Prevention Ordinance with which the applicant complies. He also went through the required variances which he said are all due to the unique characteristics of the lot. The plan was designed to be as in conformance with the Township ordinances as possible. They have agreed to relocate the AC units to be within the side yard setback, no longer needing a variance.

Board Engineer William Fitzgerald suggested that pervious asphalt or pervious concrete would look better than the pervious pavers that are being proposed, which Mr. Buletza described as turf stones with grass. Mr. Buletza said that he is willing to work with Mr. Fitzgerald to find a better alternative.

With regard to the deck, Mr. Fitzgerald said that they should make sure that it is not a solid material, such as fiberglass, in order to let water through. Mr. Buletza said that it is wood. Mr. Fitzgerald suggested the Board make it a condition of approval that with the exception of the dwelling, all lot coverage be pervious. He emphasized the flooding concern in this area.

With regard to trees, Ms. Wilensky said that she would like the applicant to attempt to plant some trees in the rear or make a donation to the Shade Tree fund. Mr. Buletza said that the applicant will either plant trees or make a donation, and will show it on the plans once decided.

The architect for the applicant, Rui Amaral, submitted the architectural plans dated June 13, 2015 which were marked into evidence A-6. Mr. Amaral explained that they lifted the house 5' whereas a typical house is only raised 3'. There is only a crawl space with no habitable space as the basement. The crawl space has flood vents, which they are adding more due to DEP recommendation. Above the garage is a mechanical room for the HVAC unit and hot water heater.

Ms. Wilensky noted that the plans show steps to the attic, which would make this home 4 stories. Mr. Amaral said that they will revise the plans to have pull down access to the attic rather than permanent stairs.

Mr. Amaral referred to the elevations of the home. The front facade will be stucco with a cultured stone entrance. The total height of the house is 34.5', which is relatively the same height as nearby homes. The sides of the home are straight, which he said is standard on this street. Ms. Wilensky said that the sides look flat and could be imposing to the next door neighbor. She suggested adding some architectural interest to the side. Mr. Amaral said that as proposed, this looks like other homes in the area, but said he could add a bay window.

Mr. Fitzgerald asked why they had not considered piles and expressed concern with the amount of time it will take the crawl space to dry out after a flood. Mr. Amaral said that the flood vents are more sturdy and insulated than piles. He said that the homeowner is aware that they live in an area that floods and know they will need to clean out the crawl space.

After discussing the side elevation further, the Board agreed that the applicant should come back with some changes to the plans including architectural interest, such as shutters or a bay window to soften the look of the side. Chairman Malta carried this application to February 18, 2016. The applicant will submit revised plans.

Chairman Goode resumed as chairman for the remainder of the meeting.

CARRIED CASES

Alfred Slinger

Block 33.40 Lot 7
1627 Westfield Street
Oakhurst
Zone R-4

This is an application to demolish an existing single-family home and construct a new single-family home with variances for lot size under minimum, lot width under minimum, lot coverage over maximum and deck screening.

The Board's information packet was marked B-1. Planning Administrator Marianne Wilensky read her report. Board Engineer William Fitzgerald, PE summarized his report noting that he has no engineering concerns.

Alfred Slinger said that he is the contract purchaser. He is proposing to demolish the existing home which is right up to the curb and does not fit with the rest of the neighborhood. He said that he will screen the deck with lattice and plantings. With regard to trees, Mr. Slinger said that he is agreeable to replacing trees as long as he is allowed to remove the tree in the right-of-way by the garage which is split in half and held together by a marine belt. Mr. Slinger submitted three photographs of the tree taken January 21, 2016 which were marked A-1, A-2 and A-3. Ms. Wilensky referred to an e-mail in B-1 from Mr. Slinger's previous attorney who advised that there were no replacements proposed. Mr. Slinger said that he will replace or make a donation per the Township ordinance.

Mr. Slinger said that he could consider removing the front porch in order to reduce the lot coverage which is at 27.9% where 27% is permitted. Ms. Wilensky explained that many other homes have garages and a shed, but in this case, he would not be able to put up a shed. He does not have to remove the porch, but Chairman Goode suggested a deed restriction for no additional coverage so that future homeowners would be aware. Mr. Slinger agreed.

Mr. Slinger advised that he sent letters to the adjoining property owners offering the property for sale and that he got no responses.

A motion to close the public hearing was made by Henry Schepiga and seconded by Russell Malta.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None

A motion to approve the application conditioned upon tree replacement, the deed restriction and screening of the porch was made by Henry Schepiga and seconded by Eric Menell.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None
Ineligible: Bonney, Fuller, Siano
Absent: Napolitani

Molly Cohen

Block 22 Lot 108.04
304 Grant Avenue
Deal Park
Zone R-2

This is an application to construct a pergola over a portion of a proposed patio and to keep an inground pool, surround and retaining wall with variances for rear yard setback under minimum and change in grade of 2' or more.

Attorney for the applicant: Jennifer S. Krimko, Esquire

The Board's information packet was marked B-1. Planning Administrator Marianne Wilensky read her report. Board Engineer William Fitzgerald, PE summarized his report. The applicant's attorney, Jennifer S. Krimko, Esquire said that the applicant can comply with the items in Mr. Fitzgerald's report. Ms. Krimko submitted the plot plan dated October 2, 2015 which was marked into evidence A-1. The architectural plans dated August 24, 2015 were marked into evidence A-2.

John Vincenti, PE, the engineer for the applicant, said that they are proposing to encircle the patio around the pool and expand the patio. The pergola extends off the back of the house. Mr. Vincenti explained that they are proposing a retaining wall to mitigate the grade change towards the north end of the property. It is along the easement that belongs to the Township.

A motion to close the public hearing was made by Henry Schepiga and seconded by Eric Menell.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None

A motion to approve the application was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None
Ineligible: Bonney, Fuller, Siano
Absent: Napolitani

David Estin and Mindy Wisner-Estin

Block 35 Lot 73
29 North Woods Road
Wayside
Zone R-2

This is an application to erect a one-story addition, an inground pool and a shade canopy over an existing deck. Variances are required for accessory building/structure height over maximum, rear yard setback under minimum, lot coverage over maximum and change in grade of 2' or more.

Attorney for the applicant: Jennifer S. Krimko, Esquire

The Board's information packet was marked B-1. Planning Administrator Marianne Wilensky read her report. Board Engineer William Fitzgerald summarized his report. The attorney for the applicant, Jennifer S. Krimko, Esquire said that the applicant can comply with all of the requirements in Mr. Fitzgerald's report.

The project manager for the applicant, Dave Boesch of Nelson Engineering described what is proposed. He said that there is a drop to the northern property line so they are installing a retaining wall in order to utilize the backyard.

The proposed shade structure measures 15' from the deck, but measured from grade it is too tall at 25.5'. The structure is significantly lower than the home and cannot be seen from the front.

A motion to close the public hearing was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None

A motion to approve the application was made by Henry Schepiga and seconded by Jane Grabelle.

In Favor: Grabelle, Malta, Menell, Schepiga, Van Wagner, Worrell, Goode
Opposed: None
Ineligible: Bonney, Fuller, Siano
Absent: Napolitani

Meeting adjourned at 9:30 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary