

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

CLOSED SESSION: The Board moved into Closed Session.

RESOLUTION

WHEREAS, the Board of Adjustment of the Township of Ocean, pursuant to the Open Public Meetings Act of 1975, intends to exclude the public from a portion of this meeting for the purpose of discussing litigation;

WHEREAS, during this closed session appropriate minutes will be maintained, and

WHEREAS, no formal action will be taken by the Board of Adjustment during this closed session,

NOW, THEREFORE, BE IT RESOLVED that pursuant to the exceptions contained in the Open Public Meetings Act of 1975, the Board of Adjustment will now go into closed session for the purpose of discussing litigation.

BE IT FURTHER RESOLVED that the appropriate minutes shall be taken and at such time as the confidentiality of these minutes is no longer necessary they will be released to the public.

BE IT FURTHER RESOLVED that no formal action will be taken by the Board of Adjustment during this closed session.

It was unanimously agreed upon to move into closed session.

REGULAR MEETING: 7:45 P.M. Public Meeting Room
Deal and Monmouth Roads
Oakhurst

MEMBERS

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

MEMBERS

ABSENT: Eric Menell
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

Silmar Oliveira

Block 22 Lot 46
243 Overbrook Avenue
Oakhurst
Bulk Variance Approval

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

IL Investments, LLC

Block 26.02 Lot 3
6 Calvin Terrace
Oakhurst
Bulk Variance Approval

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

Laurene Feeney

Block 118 Lot 7
1406 Unami Avenue
Wanamassa
Bulk Variance Approval

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

MINUTES FOR APPROVAL

A motion was made by Henry Schepiga and seconded by James Worrell to approve the **minutes from the meeting February 18, 2016.**

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

APPLICATION WITHDRAWN

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

Block 34 Lot 11
1610 Highway 35
Oakhurst

CASES CARRIED to May 19, 2016

Morris Dweck

Block 43 Lots 1, 2
300 Parker Avenue
Deal Park

Emily Kassin

Block 47 Lot 5
333 Holly Terrace
West Deal

Nicholas Case

Block 33.06 Lot 2
162 Whalepond Road
Oakhurst

CASES CARRIED to June 13, 2016

R. Christopher Chambers

Sara Griesbach

Block 9 Lot 56
247 Howard Avenue
Shadow Lawn Manor

St. George Greek Orthodox Church

Block 1.02 Lot 73
1033 West Park Avenue
Ocean

CONTINUED CASE

Sandra Reeves

Block 76 Lot 2
491 S. Edgemere Drive
West Allenhurst
Zone R-5

This is an application to keep a fence and play set with variances for front yard setback under minimum and construction in a flood plain.

Board member Russell Malta served as chair for this application.

Planning Administrator Marianne Wilensky said that there is no new Board packet, but the applicant has submitted a landscape plan which was marked into evidence A-2. Board Engineer William Fitzgerald said that the applicant took his recommendations and the plantings she picked are acceptable. Ms. Wilensky suggested that it should be clear in the resolution when the plantings are to be completed. Mr. Fitzgerald suggested that the plantings be completed by the end of May.

With regard to the play set, Ms. Reeves said that she can paint everything a brown color that matches the house, except for the slide and swings because they are plastic. This was acceptable to the Board.

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

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

A motion to approve the application conditioned upon the landscaping being completed by May 31, 2016 and the playset being painted by June 30, 2016 was made by Henry Schepiga and seconded by Jane Grabelle.

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

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

CARRIED CASES

Jack and Deborah Ades

Block 8 Lot 32
11 Old Farm Road
Oakhurst
Zone R-1 Cluster

This is an application to demolish an existing dwelling and accessory structures and to construct a new dwelling, pool, terrace and raised patio with variances.

Attorney for the applicant: Jennifer S. Krimko, Esquire

The Board's information packet containing the reports of the Board professionals and in-house departments was marked B-1. Planning Administrator Marianne Wilensky referred to the Zoning Officer's report in the packet, noting that a height variance would normally trigger a 'd' variance, but they are no longer requesting that variance and the plans will be revised to reflect that.

Ms. Wilensky read her report. Board Engineer William Fitzgerald summarized his report, suggesting that the driveway could be a softer 's' curve. He also noted that while he does not have real issues with the application, the property is in a flood plain and mitigation is needed.

Ms. Krimko said that they will be amending the plans to comply with Mr. Fitzgerald's report, specifically, reconfiguring the driveway and walkway to eliminate those variances. The architectural plans will be revised for the grading and height to eliminate the need for a 'd' variance.

The following items were marked into evidence:

- A-1 Plot plan revised through March 26, 2016
- A-2 Survey revised through April 5, 2016
- A-3 Architectural plans revised through April 4, 2016
- A-4 Tree location plan dated January 25, 2016
- A-5 Photographs from Google Earth consisting of 3 sheets
- A-6 Photo rendering of the proposed structure
- A-7 Exhibit of the existing conditions plan dated February 18, 2016

Marc Leber PE, the engineer for the applicant, went through what is proposed for this property, noting that it is a conforming lot. The existing impervious coverage is calculated at 7,710 sq ft, while they are proposing 9,251 sq ft, for an increase of 1,541 sq ft. Mr. Leber said that they will be able to mitigate the increase in impervious coverage by storing water on the property. A soil study was performed and they will be able to provide a system to store the water underground. The property is located in a flood plain so the building coverage is 37.6%, but without the constraint of the flood plain, it would be 23%. After discussing the coverage, it was determined that without the flood plain, lot coverage would only be over by 675 sq ft. Chairman Goode asked why they cannot meet the requirements if they have a conforming lot with the exception of the flood plain. Ms. Krimko said that the architect would discuss that.

Jose Ramirez, the architect for the applicant, said that the window wells are needed for egress. He said that the top of the window well is at grade, so it is not perceptible from the street or neighbors. He said that landscaping could be added and still comply with fire code. He said that he would have to look into ways to avoid the variance. Chairman Goode asked if the variance for the window wells could be eliminated by shortening the house by 3 feet. Ms. Krimko said that they could make the house smaller, but they are requesting relief for the window wells to be located on the side where they are more appropriate than in the front of the house.

Mr. Ramirez referred to the rear elevation, where it is a three-story structure in the rear due to significant grading from the front of the property down to the rear. There is a covered terrace with a covered area underneath, which he said could be eliminated to bring the coverage close to conforming. The space allows the owner to have entertaining space and diminishes the look of the height of the house in the back. There is no visual effect from the front of the house or the street. Chairman Goode asked if the applicant can agree to a deed restriction that the rear area never be enclosed. Ms. Krimko said that they can agree to that.

The Board discussed options to reduce the square footage and coverage, such as eliminating the terraces that account for approximately 600 sq ft. Ms. Krimko argued that the terraces were not what building coverage was meant to control, there is no visual impact from the front of the house and the terraces make the back of the home more aesthetically pleasing. She said it is a better use of the outdoor space which is why they are seeking the variance. Mr. Fitzgerald said that actual calculations are needed to determine the true impact.

Mr. Ramirez referred to A-6, pointing out a covered porch on the front of the house that could be removed in order to reduce the building. Mr. Steinberg suggested reducing the size of the home, to which Mr. Schepiga said that he would rather see the home reduced in size than lose the covered porch in the front. Mr. Van Wagner noted that a reduction of 675 sq ft would not be noticeable in this neighborhood. Mr. Ramirez said that the house is approximately 7,000 sq ft and fits in with the neighborhood. Mr.

Fitzgerald noted that the applicant's engineer still has to deal with impervious coverage even if those items are removed.

The application was carried to June 13, 2016.

The Board took a break at 9:00 PM and resumed at 9:05 PM.

Sami & Joyce Flaster
Block 22 Lot 108.03
308 Grant Avenue
Deal Park
Zone R-2

This is an application to erect a fence and hedges in the front yard and expand a driveway with variances for height over maximum in the front yard and driveway width over maximum.

Attorney for the applicant: Jennifer S. Krimko, Esquire

The Board's information packet containing reports of the Board's professionals and in-house departments was marked B-1. Planning Administrator Marianne Wilensky read her report. Board Engineer William Fitzgerald summarized his report, noting that he does not normally support driveways wider than 20' and suggested plantings to screen the pool side.

Dave Boesch, the project manager for this application, was sworn in. The plot plan dated March 31, 2016 was marked into evidence A-1. Mr. Boesch explained that the applicant realized that his parking demand was greater than normal and needed more space for the additional cars. Mitigation is proposed for the increased coverage as they have agreed to use porous pavement and an under drain to direct water to an existing inlet. He said that they can change the hedge row to include a mix of plantings. Mr. Boesch said that he had suggested a 6' fence to the applicant for more privacy. He explained that the type of hedge was chosen because of the type of fence, but said that they would be willing to change it to a solid fence with a mixed landscaping on the outside.

Vice Chairman Schepiga said that he has an issue with the size of the driveway. Mr. Boesch said that it was designed that way so that cars would not get blocked in. There will be a total of 8 cars with 6 cars in the driveway and 2 cars in the garage. Mr. Boesch suggested screening the parking area with a hedge. Ms. Wilensky suggested a circular parking area instead. Mr. Boesch said that he performed a study for a circular driveway and determined that there would be a greater impact on drainage with the greater amount of asphalt needed. The driveway shape was discussed and the Board members agreed that the driveway should be redesigned to require no variances. Chairman Goode asked Mr. Fitzgerald about having two curb cuts on Grant Avenue. Mr. Fitzgerald said that it is fine if there are no variances, noting that circular driveways are permitted by ordinance. Ms. Krimko said that they will revise the plans so that the driveway conforms and are withdrawing that variance request.

With regard to the fence, Ms. Krimko asked that they consider approving a 6' tall Jerith style fence and hedge. After some discussion about the type and height of the fence and hedge, the applicant agreed to a 5' Jerith fence with a 5' hedge on the inside.

With regard to the tree replacement, Ms. Krimko said that whatever trees are removed will either be replanted or a donation to the Shade Tree fund will be made. Ms. Wilensky said that three trees shown on the as-built have recently been removed. Ms. Krimko said that she was not aware of the tree removal and a replacement plan will be submitted documenting what has been removed and the proposed plantings.

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

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

A motion to approve the application conditioned upon the submission of the tree replacement plan was made by Henry Schepiga and seconded by Jane Grabelle.

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

Meeting adjourned at 9:40 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary