

**CAUCUS SESSION:** 7:15 P.M. First 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  
Russell Malta (arriv. 7:45 PM)  
Eric Menell  
John Napolitani, Alt I  
Henry Schepiga, V Chair  
Peter Siano, Alt II  
James Worrell

MEMBERS

ABSENT: John Fuller, Alt III  
Richard Van Wagner  
Warren Goode, Chair

OTHERS PRESENT

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

Vice Chairman Henry Schepiga 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 July 13, 2016.

**REORGANIZATION**

Henry Schepiga nominated **Warren Goode as Chairman** from July 1, 2016, through June 30, 2017. Nomination was seconded by Maureen Bonney. There were no other nominations.

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

James Worrell nominated **Henry Schepiga as Vice Chairman** from July 1, 2016, through June 30, 2017. Nomination was seconded by Eric Menell. There were no other nominations.

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

A motion to approve the meeting dates for the period running from July 1, 2016 through June 30, 2017 was made by Henry Schepiga and seconded by Eric Menell. The meeting dates were approved as follows:

July 21, 2016	January 19, 2017
August 25, 2016	February 16, 2017
September 15, 2016	March 16, 2017
October 20, 2016	April 20, 2017
November 3, 2016	May 18, 2017
December 15, 2016	June 15, 2017

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

A motion to appoint **Mark A. Steinberg, Esquire, as Board of Adjustment Attorney** for the period running July 1, 2016, through June 30, 2017, was made by Henry Schepiga and seconded by Maureen Bonney.

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

A motion to appoint **James Higgins as Board of Adjustment Planner** for the period running July 1, 2016, through June 30, 2017, was made by Henry Schepiga and seconded by James Worrell.

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

A motion to appoint **William Fitzgerald as Board of Adjustment Engineer** for the period running July 1, 2016, through June 30, 2017, was made by Henry Schepiga and seconded by James Worrell.

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

A motion to appoint **Rachel Montemarano as Board of Adjustment Secretary** for the period running July 1, 2016, through June 30, 2017, was made by Henry Schepiga and seconded by James Worrell.

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

Board Attorney Mark Steinberg had Board professionals Marianne Wilensky, P.P., William Fitzgerald, P.E. and James Higgins, P.P. read an Oath of Allegiance and swore them in as Board Professionals for the upcoming year.

**RESOLUTION MEMORIALIZATION**

**Russmarc, LLC**

Block 137 Lots 30, 31  
909 Highway 35  
Ocean  
Conditional Use Variance  
Bulk Variance  
Preliminary and Final Site Plan

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

**CASES CARRIED to August 25, 2016**

**Morris Dweck**

Block 43 Lots 1, 2  
300 Parker Avenue  
Deal Park

**Joshua Bard**

Block 33 Lot 78  
700 Auth Avenue  
Oakhurst

**Nicholas Case**

Block 33.06 Lot 2  
162 Whalepond Road  
Oakhurst

**Keith A. DiLello, Jr.**

Block 3.03 Lot 24  
27 Branch Road  
Oakhurst

**R. Christopher Chambers**

**Sara Griesbach**  
Block 9 Lots 53, 56  
247 Howard Avenue  
Shadow Lawn Manor

**St. George Greek**

**Orthodox Church**  
Block 1.02 Lot 73  
1033 West Park Avenue  
Ocean

**Park Avenue Tennis Center, LLC  
& Township of Ocean**

Block 3 Lot 17  
615 West Park Avenue  
Oakhurst

**Lakeside Adult Medical  
Day Care Center, LLC**

Block 140 Lot 81  
1001 Wickapecko Drive  
Wanamassa

**Eric Epstein**

Block 9 Lot 2.01  
71 Larchwood Avenue  
Oakhurst

**CARRIED CASES**

**4N Investors**

Block 209 Lots 15, 16  
1119 Highway 35 North  
Ocean  
Zones C-3 and O-1/40

This is an application for preliminary and final site plan approval with "d" and "c" 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. Board Planner James Higgins, PP summarized his report, explaining that the retail store wants to expand into the daycare space with office space. He said that the site was cramped, so they suggested that the owner purchase the property behind in order to add additional parking. The lot behind is in a different zone in which the market use is not permitted so a technical use variance is needed because the parking is associated with the market use. There will be a total of 79 parking spaces. They are also proposing to move the loading area to the back of the site and relocate the trash enclosure area. In addition, a variance for lot coverage is no longer necessary. Mr. Higgins said that it is a better solution for the site. He also said that he needs a ballpark of the number of trees being removed, though they are preserving as many as possible.

Board member Russell Malta arrived at 7:45 PM and was sworn in as a re-appointed member of the Board.

Board Engineer William Fitzgerald, PE summarized his report, noting that the applicant has done everything that has been requested thus far.

The following items were marked into evidence:

- A-1 Site plans dated 3/9/16
- A-2 Architectural plans dated 9/22/14
- A-3 Survey dated 3/12/16
- A-4 Color rendered plan of Sheet 4 of the site plan

Attorney for the applicant, Jennifer S. Krimko, Esquire said that the applicant can comply with all the suggestions in their reports. She said that the supporting documents for the drainage were inadvertently not submitted along with the plans, but they will be submitted. Mr. Fitzgerald said that he spoke with Dave Boesch, the project manager for the application, who assured him that the drainage is feasible.

Mr. Boesch was sworn in and referred to A-4 to describe the site. He said that they are expanding the parking lot to the east allowing for alternate routes for patrons and garbage trucks to maneuver the site. A detention basin is being added to the east end of the site. They are upgrading the landscaping and eliminating the existing loading area in the front and moving it to the back to better facilitate the service patterns of delivery trucks. Mr. Boesch explained that the retail floor area is not being increased. They are only adding offices and meeting rooms all for the primary use. There will be no other tenants.

Mr. Boesch said that a random sample of the wooded area was selected in order to do a tree count. A 100' x 100' area was selected. 81 trees were counted that were between 6" - 13" in diameter. Based on this count, there are 350 trees in the area to be cleared, which would be a large amount for a donation to the Shade Tree Fund. Ms. Krimko said that they are proposing a waiver of the tree replacement plan because they are substantially increasing the landscaping and adding drainage to the site. Mr. Higgins said that the donation would be \$122,500.00. Mr. Fitzgerald added that the applicant is also adding lighting to the site, which is a great improvement.

A Motion to close the public hearing was made by John Napolitani and seconded by Eric Menell.

In Favor: Bonney, Malta, Menell, Napolitani, Schepiga, Siano, Worrell  
Opposed: None

A motion to approve the "d" use variance for retail parking in the O-1/40 zone was made by John Napolitani and seconded by Eric Menell.

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

A motion to approve the bulk variances was made by John Napolitani and seconded by Russell Malta.

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

A motion to approve the preliminary and final site plan subject to Mr. Fitzgerald's approval of the drainage and the granting of the waiver of the tree location plan with no contribution to the Shade Tree Fund, was made by John Napolitani and seconded by Maureen Bonney.

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

**Emily Kassin**

Block 47 Lot 5  
333 Holly Terrace  
Deal Park  
Zone R-2

This is an application to keep a pergola, patio and swing set on this corner lot with variances for lot coverage over maximum, front yard setback under minimum and walkway width over maximum.

The Board's information packet containing reports of the Board professionals and in-house departments was marked B-1. Planning Administrator Marianne Wilensky summarized her report, noting that the application was originally for a second story addition which has since been withdrawn. During the application process items were discovered to be in violation. Items such as the pergola and patio were likely not constructed by this owner, though she did erect the swing set which has been relocated. The swing set still requires a variance for its setback from Parker Avenue. Ms. Wilensky suggested plantings to soften the look of the existing wall.

Board Engineer William Fitzgerald, PE summarized his report, noting that there is not much engineering involved with the application and he is fine with it.

Mrs. Kassin submitted photographs that were marked into evidence:

- A-1 Photograph of the wall
- A-2 Photograph of the pergola and patio
- A-3 Photo showing both the wall and the pergola

Mrs. Kassin said that everything was already there when they bought the home, expect for the swing set. She said that she is willing to do landscaping in front of the wall. She submitted two additional photographs showing the swing set that were marked into evidence A-4 and A-5. She said that the bushes on the Parker Avenue side will be kept under 4' tall and will help screen the play set.

A motion to close the public hearing was made by Maureen Bonney and seconded by Eric Menell.

In Favor: Bonney, Malta, Menell, Napolitani, Schepiga, Siano, Worrell  
Opposed: None

A motion to approve the application subject to the Board Engineer's approval of a landscape plan was made by John Napolitani and seconded by Eric Menell.

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

**NEW CASES**

**Michele Tringali**

Block 25.07 Lot 5  
191 Ampere Avenue  
Oakhurst  
Zone R-4

This is an application to replace an existing deck with variances for front yard setback under minimum and side yard setback under minimum.

The Board's information packet containing the reports of the Board's professionals was marked B-1. Planning Administrator Marianne Wilensky, PP summarized her report, noting that the deck is existing and needs to be replaced. The front of the deck is screened by landscaping. She said that she confirmed with the applicant that the walkways are not being changed, which are in the right-of-way. Board Planner William Fitzgerald, PE summarized his report, noting that he has no problem with the application.

Ms. Tringali said that she is replacing the deck which has been there for over 31 years. The deck provides access to the front door and needs to be replaced because it is rotting. The deck will have the exact same footprint and height as what presently exists.

A motion to close the public hearing was made by Eric Menell and seconded by Russell Malta.

In Favor: Bonney, Malta, Menell, Napolitani, Schepiga, Siano, Worrell  
Opposed: None

A motion to approve the application was made by Russell Malta and seconded by Maureen Bonney.

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

**Charles and Augusta Rini**  
Block 33.22 Lot 7  
1908 Waverly Street  
Oakhurst  
Zone R-4

This is an application to erect a one story addition, a porch, a deck and fencing with variances for front yard setback under minimum, side yard setback under minimum, lot coverage over maximum and fence over maximum height.

The Board's information packet containing the reports of the Board's professionals was marked B-1. Planning Administrator Marianne Wilensky, PP summarized her report. The applicant is adding an addition to the rear of the home which is part of a larger renovation project. Ms. Wilensky said that she is concerned about the lot coverage of 34% where only 27% is allowed. She said that planning testimony should be given with regard to this variance. The proposed front porch adds architectural interest to the front of the house which is currently flat. She noted that the porch is too small to facilitate much use. She also noted that the patio was built by the previous owners without permits. With regard to the proposed fence along Carol Avenue, she suggested relocating the fence to have a setback of 15'. Board Engineer William Fitzgerald, PE said that he agrees with Ms. Wilensky's suggestion regarding the fence.

The applicant, Charles Rini, explained that they are building the addition to expand the master bedroom and add a bathroom. He said that they have a large family with grandchildren in the neighborhood and due to their ailing health, his in-laws will be living with them. The fence is necessary for his mother-in-law who has Alzheimer's and additional space is needed to accommodate his father-in-law who uses a walker. Mr. Rini said that he has no problem relocating the fence to have a 15' setback. The fence will be 6' tall with the scallop design and he will submit a landscape plan to soften the look of the fence from the streetside. He said that the front porch is a place for his in-laws to sit.

Mr. Siano asked if a second story addition was considered. Mr. Rini explained that the ranch style is necessary for his in-laws.

Mr. Malta asked for planning reasons to necessitate the lot coverage variance. Mr. Rini said that the property lends itself to the layout of the addition along the back of the house. He said that everything will match the existing home. Mr. Fitzgerald said that the layout is logical from an engineering point of view.

A motion to close the public hearing was made by Maureen Bonney and seconded by Eric Menell.

In Favor: Bonney, Malta, Menell, Napolitani, Schepiga, Siano, Worrell  
Opposed: None

A motion to approve the application conditioned upon the fence being relocated and a landscape plan submitted was made by Maureen Bonney and seconded by John Napolitani.

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

**Ellyn Rosati**

**Kyle Breese**

Block 25.34 Lot 14  
445 Brookside Avenue  
Oakhurst  
Zone R-4

This is an application to erect a fence with a variance for construction in a flood plain.

The Board's information packet containing the reports of the Board's professionals was marked B-1. Board Engineer William Fitzgerald, PE said that his report lays out the State Flood Hazard Area requirements and that he is fine with the Board granting this variance as it qualifies as a permit-by-rule. He said that the fence is conforming, except that it is located in a flood plain.

The applicant, Kyle Breese, said that they want to erect the 6' fence because they adopted a dog. They will also eventually have children and will want privacy and safety.

A motion to close the public hearing was made by John Napolitani and seconded by Maureen Bonney.

In Favor: Bonney, Malta, Menell, Napolitani, Schepiga, Siano, Worrell  
Opposed: None

A motion to approve the application was made by Eric Menell and seconded by James Worrell.

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

Meeting adjourned at 8:47 P.M.

---

Rachel Montemarano  
Board Secretary  
Recording Secretary