

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

MEMBERS Tracy Berkowitz, Alt. I  
PRESENT: Jane Grabelle  
Warren Goode, Chair  
Brian Lefferson, Alt. IV  
Russell Malta  
David Messer  
Richard Van Wagner

MEMBERS Mario Delano, Alt. III  
ABSENT: Jennifer Lombardi  
Leon Pflaster, Alt. II  
Henry Schepiga, Vice Chair

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney  
Marianne Wilensky, Planning Administrator  
William Fitzgerald, Board Engineer  
James Higgins, Board Planner  
Margo Simpson, 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, the Coaster, and the Atlanticville, posted in the Township Hall, and filed in the Office of the Township Clerk on July 13, 2009.

**MINUTES FOR APPROVAL** A motion was made by Warren Goode and seconded by Jane Grabelle to approve the **minutes from the meeting of March 11, 2010.**

In Favor: Berkowitz, Grabelle, Lefferson, Malta, Messer, Van Wagner, Goode  
Opposed: None  
Ineligible: None  
Absent: Delano, Lombardi, Pflaster, Schepiga

**MINUTES FOR APPROVAL** A motion was made by Warren Goode and seconded by Jane Grabelle to approve the **minutes from the meeting of April 8, 2010.**

In Favor: Berkowitz, Grabelle, Lefferson, Malta, Messer, Goode  
Opposed: None  
Ineligible: Van Wagner  
Absent: Delano, Lombardi, Pflaster, Schepiga

### **RESOLUTION MEMORIALIZATIONS**

**Dmitriy Posternak**

Block 198, Lot 4  
1201 Franklin Avenue  
West Deal

**Bulk Variance Approval**

MOVED: Goode SECOND: Grabelle  
FAVOR: Berkowitz, Grabelle, Goode, Lefferson,  
Malta, Messer  
OPPOSED: None  
INELIGIBLE: Van Wagner  
ABSENT: Delano, Lombardi, Pflaster, Schepiga

**Joseph Vassallo**

Block 10, Lot 2.01  
104 Norwood Avenue  
Elberon Park

**Bulk Variance Approval**

MOVED: Goode SECOND: Grabelle  
FAVOR: Berkowitz, Grabelle, Goode, Lefferson,  
Malta, Messer  
OPPOSED: None  
INELIGIBLE: Van Wagner  
ABSENT: Delano, Lombardi, Pflaster, Schepiga

**Gail Farca**

Block 40, Lot 141  
5 Dwight Drive  
West Deal

**Bulk Variance Approval**

MOVED: Goode SECOND: Grabelle  
FAVOR: Berkowitz, Grabelle, Goode, Lefferson,  
Malta, Messer  
OPPOSED: None  
INELIGIBLE: Van Wagner  
ABSENT: Delano, Lombardi, Pflaster, Schepiga

**August and Maureen Heckman**

Block 33.30, Lot 1  
712 Dow Avenue  
Oakhurst

**Bulk Variance Approval**

MOVED: Goode SECOND: Grabelle  
FAVOR: Berkowitz, Grabelle, Goode, Lefferson,  
Malta, Messer  
OPPOSED: None  
INELIGIBLE: Van Wagner  
ABSENT: Delano, Lombardi, Pflaster, Schepiga

**Anne and Mark Cirlincione**

Block 33.31, Lot 11  
714 Talmadge Avenue  
Oakhurst

**Bulk Variance Approval**

MOVED: Goode SECOND: Grabelle  
FAVOR: Berkowitz, Grabelle, Goode, Lefferson,  
Malta, Messer  
OPPOSED: None  
INELIGIBLE: Van Wagner  
ABSENT: Delano, Lombardi, Pflaster, Schepiga

**NEW APPLICATION**

**Ocean Senior Citizen Housing Corporation**

Block 22, Lot 32  
67 Skinner Drive  
Oakhurst  
Zone R-4

This is an application for a minor subdivision of two lots with variances from the conditional use standards and bulk variances required.

Attorney for the applicant: Charles P. Stone, Esquire

Board Attorney Mark Steinberg, Esquire, explained that the utility companies were not noticed regarding this application. He suggested that a notice be sent to them informing them of the application and that if any have questions or a problem with the application that the public hearing can be reopened at the next meeting. Everyone was in agreement.

Board Member Brian Lefferson disqualified himself from this application.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-1** and the reports were read into the record.

Board Planner Allison Coffen read the Planning report, dated April 26, 2010, into the record. Her report indicated that several of the buildings on the site will be removed and the land restored to its natural state. Board Engineer William Fitzgerald read his report, dated April 27, 2010, into the record.

Mr. Fitzgerald said that he had no engineering concerns with the application because the proposed demolition of the buildings will be done under the direction of FEMA. It is not certain if a flood hazard variance is necessary, but he felt that the Board should grant the variance just in case. The application is to remove impervious cover and deed a lot into open space in perpetuity. The impervious surface that will be removed totals 33% of the entire project, which will be a benefit to the flood hazard area.

Mr. Fitzgerald noted that Public Works does the trash pickup on this site and though some trash areas will be removed, there are trash storage areas that will remain.

Planning Administrator Marianne Wilensky read into the record a report from the Environmental Commission which endorsed the application and an email from Director of Public Works William McMahon stating that there is an easement for the Sewerage Authority on the subject property and asked that TOSA be informed of the application. Both comments were part of the previously marked information packet.

Ms. Wilensky said that she sent Mr. McMahon's comment to TOSA and did not receive any comments back.

Charles Stone, Esquire, representing the applicant, presented Raymond Ross, Director of the Ocean Senior Citizen's Housing Corporation. Mr. Ross explained that

through the course of the years there has been problems with flooding. The site has a history of flooding from Poplar Brook which creates a danger to the residents and the structures. It is very stressful to the residents who live closest to the brook. They get upset every time it rains. There have been three or four times when the tenants had to be removed and the units renovated.

Through the years steps have been taken to try to alleviate the problem. A retaining wall was built a number of years ago at the lowest area. Several years after that they received a grant to raise and lengthen the wall. There are metal gates in the wall that can be closed and locked in place to protect the units. Dry wells were also put in. The rainfall and the brook are monitored and when necessary, there are seven or eight pumps that are activated.

Mr. Stone noted that in spite of all the measures taken at the southern end of the complex, flooding still takes place that destroys the buildings that are proposed to be demolished. The concept of the application is to protect the senior citizens who live there.

Mr. Stone presented Charles Surmonte, Engineer for the applicant, who had the subdivision plan, revised through April 13, 2010, marked as **evidence A-1**. The proposed subdivision line is drawn where eight buildings will be removed. There are 96 units in the development and 32 are proposed to be removed. The plan will be modified to show a parking field easement for a turn-around area. There is a trash area that serviced the units that will be removed. There is a trash area on the north side of the property that will service the remaining units.

Board Member David Messer noted that the turn-around area needs to be big enough for emergency vehicles and is on the property that will be deeded to the Township. He asked if they are acceptable to it.

Mr. Fitzgerald said that the turn-around will have to be approved by FEMA and it will have to be constructed of something that is not pervious. If FEMA approves it, the Township will accept it.

Mr. Steinberg pointed out that the turn-around needs to be placed on the plan and an easement will have to be filed. He asked if the subdivision will be filed by map or deed. Ms. Wilensky felt that for a subdivision of this type it would be better to file it by map.

Mr. Stone presented Andrew Brannen, Township Manager. Mr. Brannen explained that FEMA's main interest in the project is the repetitive flood claims regarding the units. They want to take them out of use, demolish them and restore the land. The Township has put together an application to FEMA that will provide 75% of the funding for purchase, demolition, and restoration. The people living in the units will be moved to different places in the County. An application has been submitted to the County for funds to build new units.

Mr. Stone noted that there is a three-year build-out period. If it is approved, they will have three years to build.

Mr. Steinberg explained that the reason this subdivision is before the Board of Adjustment rather than the Planning Board is because the subdivision will reduce the size of Poplar Village.

A motion to close the public hearing was made by Jane Grabelle with the stipulation that it will be reopened if any of the utilities have a concern with the approval. The motion was seconded by Richard Van Wagner.

In Favor: Berkowitz, Grabelle, Malta, Messer, Van Wagner, Goode  
Opposed: None

A motion of approval of a d. 3. variance to reduce the size of Poplar Village was made by Warren Goode and seconded by Russell Malta.

In Favor: Berkowitz, Grabelle, Malta, Messer, Van Wagner, Goode  
Opposed: None  
Disqualified: Lefferson  
Absent: Delano, Lombardi, Pflaster, Schepiga

A motion of approval for bulk variances, a variance for the flood hazard area, and design waivers was made by Russell Malta and seconded by Jane Grabelle.

In Favor: Berkowitz, Grabelle, Malta, Messer, Van Wagner, Goode  
Opposed: None  
Disqualified: Lefferson  
Absent: Delano, Lombardi, Pflaster, Schepiga

A motion to approve the minor subdivision was made by Jane Grabelle and seconded by Russell Malta with the condition that the plans will be revised to show the easement for a turn-around area on the municipal parcel.

In Favor: Berkowitz, Grabelle, Malta, Messer, Van Wagner, Goode  
Opposed: None  
Disqualified: Lefferson  
Absent: Delano, Lombardi, Pflaster, Schepiga

The resolutions will be memorialized on May 12, 2010, unless the public hearing is reopened for comment from any utilities.

Meeting adjourned 8:15 P.M.

---

Margo Simpson  
Board Secretary  
Recording Secretary