

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

DISCUSSION: **Anderson**  
Block 109, Lot 17  
2306 Sunset Avenue

Planning Administrator Marianne Wilensky explained that the Board approved a variance for a fence for Christian and Megan Anderson in December. The approval stated that the plantings would have to be in place by May 15, 2011. The applicants have changed their minds and do not want to put the fence up immediately. The Board discussed the approval and instructed Ms. Wilensky can tell the applicant that they must install the plantings during the first planting season after the fence is installed.

REGULAR MEETING: 7:41 P.M. Public Meeting Room  
Deal and Monmouth Roads  
Oakhurst

MEMBERS PRESENT: Tracy Berkowitz, Alt. I  
Mario Delano, Alt. III  
Jane Grabelle  
Brian Lefferson, Alt. IV  
Russell Malta  
David Messer  
Leon Pflaster, Alt. II  
Henry Schepiga, Vice Chair  
Richard Van Wagner

MEMBERS ABSENT: Warren Goode, Chair

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney  
Marianne Wilensky, Planning Administrator  
William Fitzgerald, Board Engineer  
James Higgins, Board Planner, left 8:52 PM  
Margo Simpson, 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, the Coaster, and the Atlanticville, posted in the Township Hall, and filed in the Office of the Township Clerk on July 9, 2010.

**MINUTES FOR APPROVAL** A motion was made by Richard Van Wagner and seconded by Jane Grabelle to approve the **minutes from the meeting of December 9, 2010**

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

**CARRIED TO February 10, 2011**

**Ariel Brizuela**  
Block 86, Lot 8  
1012 Grasmere Avenue  
Wanamassa

### **MEMORIALIZATIONS**

**Christian and Christina Kaunzinger**  
Block 140.12, Lot 4  
2 Park Place  
Colonial Terrace  
**Bulk Variance Approval**

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

**Gold Coast Automotive**  
Block 3, Lot 7.01  
2121-2123 Highway 35 North  
Oakhurst  
**Amended Site Plan Approval**

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

**259 Overbrook Group / CDS Inc.**  
Block 22, Lot 43  
259 Overbrook Avenue  
Oakhurst  
**Use Variance Approval**

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

**259 Overbrook Group / CDS Inc.**  
Block 22, Lot 43  
259 Overbrook Avenue  
Oakhurst  
**Parking Variance Approval**

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

**Stephen Schmelz**  
Block 141, Lot 7  
810 Highway 35  
Wanamassa  
**Conditional Use Variance Approval**

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

**Stephen Schmelz**  
Block 141, Lot 7  
810 Highway 35  
Wanamassa  
**Minor Site Plan Approval**

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

**Stephen Schmelz**  
Block 141, Lot 7  
810 Highway 35  
Wanamassa  
**Bulk Variance Approval**

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

**CONTINUED CASE**

**Yeshiva of Ocean**  
Block 34.03, Lots 5.01, 5.02  
1001 Deal Road  
Wayside  
Zone R-3/PRD

This is an application for a use variance to convert an office building to use as a Yeshiva with boarding students and for minor site plan approval with variances.

Attorney for the Applicant: Jennifer Krimko, Esquire

Board Members Jane Grabelle and David Messer have listened to the recording of the last hearing on this application and are eligible to vote.

The Board's information packet, containing the reports of both the Board's professionals and in-house departments, was marked into **evidence B-2** and the reports were read into the record.

Board Engineer William Fitzgerald noted that there are some site plan issues that have not yet been addressed. There is a cover letter from the Architect that states the number of students will be reduced to fifty, but the plan has not been revised to reflect the new number.

Mr. Fitzgerald noted that the building is unusual in the respect that there are six separate heating and cooling systems in the building. In addition, it does not seem possible to grade the site properly at the intersection of Deal Road and Poplar Road for a 5% grade sidewalk without removing a number of trees at the corner.

In addition, Mr. Fitzgerald felt that the applicant needs to address visitors and traffic. The site is over three acres and there is nothing other than a basketball court for the students to use for recreation.

Jennifer S. Krimko, Esquire, representing the applicant, said that the engineering will not be addressed until the use is determined. There is a viable concept plan showing a traditional sidewalk connecting the site to the intersection. Trees will have to be removed. The plan shows additional green-banked parking spaces. The number of students has changed to fifty. Ms. Krimko said that she will submit a letter indicating the new number. There will be no changes to the outside of the site.

The Yeshiva is run like a family with a code of conduct, which will be submitted in a written form to the Board. Each student will have to sign it. There will be explanations as to how the students are accepted to the school and what the menu plan for the week will be.

Ms. Krimko placed the following into evidence:

**Evidence A-6** - Architectural plans revised through August 3, 2010

**Evidence A-7** - Certification of Incorporation of the Yeshiva of Ocean, dated August 2002, filed with the State Treasurer

**Evidence A-8** - A letter dated October 22, 2010, confirming non-profit status

**Evidence A-9** - Information dated July 1, 2010, stating that there is no requirement for licensing with the Department of Education from Emily McKinnen, Non-Public School Coordinator, indicating that post-high schools are not required to be registered.

Board Member Richard Van Wagner felt that more clarification is necessary regarding licensing. Ms. Krimko agreed to contact Michael Gross of the local Board of Education.

Ms. Krimko presented David Boesch, who referred to the colored concept plan that was marked as **A-10 ID only**. Mr. Boesch noted that the Board previously had concerns about parking and pedestrians walking to other areas of the municipality. Alternatives are available and can be expanded depending on what the Board wants.

From a green-bank perspective, parking can be expanded towards Poplar Road if the Board deems that more parking is necessary. With the green-banking, 56 parking spaces could be provided. There is a basketball court in the south west corner of the property.

Planning Administrator Marianne Wilensky noted that the Code Enforcement Officer has found that the trash enclosure has no doors. Mr. Boesch said that the proposed trash area will be 16' deep X 24' wide with gates, which will be more than adequate for the proposed operation.

Mr. Fitzgerald noted that the plan showed contour lines by Deal Road. The plan has to be safe with a good turning radius. The trees should be surveyed. In terms of the retaining wall, it must be on the property, not in the right of way.

Mr. Boesch pointed out that the concept plan shows a four-foot wide sidewalk, four feet from the curblineline. There is a 2% grade with a 3-to-1 slope. Six to seven trees will have to be removed. Many of the trees are old and are starting to decline.

Mr. Fitzgerald suggested a possible five-foot walk that would go right to the curb. There needs to be a wall and it must be safe.

At this point, there was a lengthy discussion on what date the application would be carried to. The applicant was seeking a special meeting, but was told that it could not be determined at that time when a special meeting could be accommodated because the calendar for the use of the room needed to be reviewed and every Board Member and Professional had to check their schedules to see when everyone would be available. In addition, all the holidays had to be taken into consideration. An offer was made to the applicant to carry them to the meeting of June 9, 2011, and give them 3 hours and 45 minutes at that meeting. The application was carried to the meeting of March 10, 2011, at which time a future date will be announced.

### **NEW CASES**

**Rob and Carol Ford**  
Block 33, Lot 47.02  
1605 Westfield Street  
Oakhurst  
Zone R-4

This is an application to erect a patio enclosure with a variance for rear yard setback.

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. Planning Administrator Marianne Wilensky noted that the Zoning Officer's report indicated that the applicant had a fence on the property that was placed there without benefit of a permit.

Rob Ford explained that he hired a contractor to install the fence. He did not know that the contractor failed to get a permit. He will take care of getting a permit. The architecture of the proposed addition is mostly a glass enclosure. The siding and the roof will match the house. The applicant's contractor, Dominick Wronko, said that they adhere the siding to the enclosure and it will match the siding on the house.

A motion to close the public hearing was made by Jane Grabelle and seconded by Richard Van Wagner.

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

A motion of approval was made by Jane Grabelle and seconded by Richard Van Wagner.

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

Memorialization will take place on February 10, 2011.

**Patrick and Eileen Glynn**  
Block 68, Lot 13  
518 Corlies Avenue  
West Allenhurst  
Zone R-5

This is an application for additions with variances for front and rear yard setback.

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. Planning Administrator Marianne Wilensky explained that the applicant is seeking to construct two additions to the home.

Patrick Glynn explained that his goal is to replace a family room that floods during storm events. They also want to add a garage for indoor parking. The living room, kitchen, and dining areas will be reconfigured. Currently, there is no dining room. The siding will match the house and the roof pitch will be the same as the rest of the house.

A motion to close the public hearing was made by Jane Grabelle and seconded by Russell Malta.

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

A motion of approval was made by Jane Grabelle and seconded by Russell Malta.

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

Memorialization will take place on February 10, 2011.

**Mary Callahan**

Block 25.30, Lot 5  
220 Elmwood Road  
Oakhurst  
Zone R-4

This is an application to replace a screened porch with a three-season room with a variance for front yard setback.

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. Planning Administrator Marianne Wilensky explained that the applicant is seeking to replace an existing screened porch with a new sunroom. The existing roof will remain, but the rest will be replaced.

Mary Callahan explained that she wants to improve the appearance of the front of her house. The new room will be a three-season room and will be the same setback as the current room.

A motion to close the public hearing was made by Jane Grabelle and seconded by Russell Malta.

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

A motion of approval was made by Jane Grabelle and seconded by Russell Malta.

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

Memorialization will take place on February 10, 2011.

Meeting adjourned 9:25 P.M.

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Margo Simpson  
Board Secretary  
Recording Secretary