

CAUCUS SESSION: 7:15 P.M. Municipal Building 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, Alt IV
Jane Grabelle
Russell Malta
Eric Menell, Alt II
David Messer
Leon Pflaster
Sylvia Sylvia, Alt I
Richard Van Wagner
James Worrell, Alt III
Warren Goode, Chair

MEMBERS ABSENT: Henry Schepiga, Vice Chair

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney
Marianne Wilensky, Planning Administrator
Rachel Goncharko, Board Secretary
Recording Secretary

Vice Chairman 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 February 4, 2013.

RESOLUTION MEMORIALIZATIONS

Frank J. Esposito
Block 1.03 Lot 6
6 Hanley Road
Wayside
Bulk Variance Approval

MOVED: Goode SECOND: Worrell
FAVOR: Bonney, Malta, Sylvia, Worrell, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Menell, Messer, Pflaster, Van Wagner
ABSENT: Schepiga

MNC Properties, LLC
Block 137 Lots 30, 31
905-909 Highway 35
Ocean
Bulk Variance Approval
Conditional Use Approval
Preliminary and Final Site Plan Approval

MOVED: Goode SECOND: Worrell
FAVOR: Malta, Sylvia, Worrell, Goode
OPPOSED: None
INELIGIBLE: Bonney, Grabelle, Menell, Messer, Pflaster, Van Wagner
ABSENT: Schepiga

Sammy and Margie Saka
Block 25 Lots 55-57, 63 & 64
43 & 45 Shadow Lawn Drive
255 Whale Pond Road
Oakhurst
Bulk Variance Approval

MOVED: Goode SECOND: Worrell
FAVOR: Bonney, Malta, Sylvia, Worrell, Goode
OPPOSED: None
INELIGIBLE: Grabelle, Menell, Messer, Pflaster, Van Wagner
ABSENT: Schepiga

CASES CARRIED to March 14, 2013

Hermes J. Gomez
Block 210 Lot 8
1204 Lawrence Avenue
Wanamassa

Illiano's of Ocean, Inc.
Block 1.02 Lot 67
933 West Park Avenue
Ocean

Route 35 Realty, LLC
Block 141 Lots 7.01, 9
900 Highway 35
Ocean

CASE DISMISSED

James Manning
Block 17 Lot 14
329 Wells Avenue
Oakhurst
Zone R-4

This is an application to remove and replace an existing driveway with a variance for side yard setback of 1' where 1' exists and a minimum of 5' is required.

Director of Community Development, Marianne Wilensky explained that Mr. Manning did not return the completed time waiver to carry the application to the next hearing. She said that the application was filed on September 10, 2012 and the Board would have to act by February 22, 2013 or have a time waiver to carry the application.

A motion to dismiss the application without prejudice for failure to proceed was made by Chairman Goode and seconded by Russell Malta.

In Favor: Bonney, Grabelle, Malta, Messer, Pflaster, Van Wagner, Goode
Opposed: None
Ineligible: Menell, Sylvia, Worrell
Absent: Schepiga

To be memorialized on March 14, 2013.

CARRIED CASE

Charles P. Babilya
Block 92 Lot 3
42 Park Boulevard
Wanamassa
Zone R-6

This is an application to erect a deck with a variance for front yard setback of 16.9' where 16.9' existed and 30' is required. This is a corner lot.

The Board's information packet, containing the reports of the Board Engineer and Director of Community Development, and a violation notice from the Zoning Officer, was marked B-1. Marianne Wilensky, Director of Community Development, read the reports.

Ms. Wilensky explained that the POD is there without a permit and that it was only supposed to be there for a limited amount of time. The Traffic Safety section of the Police Department has concerns with the trailer that is parked in the street because it is too close to the intersection.

Mr. Babilya said that the trailer has been there for two years. He got the violation notice in the mail today and a police officer came by the house to tell him that he has to move the trailer at least 25 feet from the corner. Ms. Wilensky said that it would have to be moved more than 25 feet so that it does not block the driveway. She said that he could move it into the driveway. Mr. Babilya said that the driveway is too steep for the trailer.

Mr. Babilya said that he will move the trailer and will apply for a permit for the POD. Ms. Wilensky said that the POD has been there for a couple of months and that it should have been removed a long time ago. Mr. Babilya said that he will need it for another 30 days. Ms. Wilensky said that the Zoning Officer, Jerome Donlon, will have to make a decision when he applies for the permit.

Mr. Babilya explained that the deck has been there for at least 25 years. He wants to replace and expand it. Ms. Wilensky said that the deck is fairly low and that she has no concerns.

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

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

A motion to approve the application was made by Warren Goode and seconded by Jane Grabelle.

In Favor: Grabelle, Malta, Messer, Pflaster, Sylvia, Van Wagner, Goode
Opposed: None
Ineligible: Bonney, Menell, Worrell
Absent: Schepiga

To be memorialized on March 14, 2013.

NEW CASES

Ernest Maslaton

Block 26.08 Lot 15.06
308 Crimson Circle
Oakhurst
Zone R-3

This is an application to keep a patio with a variance for side yard setback of 5.1' where a minimum of 10' is required.

The Board's information packet containing the reports of the Board Engineer and Director of Community Development, was marked B-1. Marianne Wilensky, Director of Community Development, read the reports.

Two photographs showing the patios were marked into evidence A-1 and A-2.

Mr. Maslaton explained that Anthony Sylvan Pools did the deck and patio for the pool. He does not know why they constructed it that way. Ms. Wilensky said that pool companies do this all the time. Chairman Goode asked if the town has any recourse with the pool companies. Ms. Wilensky said that they could issue the summonses to the pool companies and that they could look into requiring the pool companies to register their business with the town.

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

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

A motion to approve the application made by Warren Goode and seconded by Jane Grabelle.

In Favor: Grabelle, Malta, Messer, Pflaster, Sylvia, Van Wagner, Goode
Opposed: None
Ineligible: Bonney, Menell, Worrell
Absent: Schepiga

To be memorialized on March 14, 2013.

Margaret Natter

Block 61.03 Lot 2
568 Deal Parkway
West Allenhurst
Zones R-4

This is an application for an addition with variances for side yard setback under minimum, total side yard setbacks under minimum, lot coverage over maximum and side yard setback for driveway under minimum.

Paul Fericola, Esquire represented the applicant.

The Board's information packet, containing the reports of the Board Engineer and in-house departments, was marked B-1. Director of Community Development, Marianne Wilensky read the reports.

A color aerial photograph of the lot was marked B-2.

Ms. Wilensky used the tax map to show that this lot is across the street from the R-5 zone, where the lots are very similar. She said that the proposed development fits in with the neighborhood.

Ms. Natter explained that that they needed to fix damage to the roof from Hurricane Sandy and decided to do the addition as the home is small and they need more room. She said that the roof and siding of the addition will match the rest of the home.

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

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

A motion to approve the application was made by Jane Grabelle and seconded by Russell Malta.

In Favor: Grabelle, Malta, Messer, Pflaster, Sylvia, Van Wagner, Goode
Opposed: None
Ineligible: Bonney, Menell, Worrell
Absent: Schepiga

To be memorialized on March 14, 2013.

Meeting adjourned at 8:05 P.M.

Rachel Goncharko
Board Secretary
Recording Secretary