

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 II
Jane Grabelle
Russell Malta
John Napolitani, Alt III
Henry Schepiga, V CH
Peter Siano, Alt IV
James Worrell, Alt I
Warren Goode, CH

MEMBERS ABSENT: Eric Menell
Richard Van Wagner

OTHERS PRESENT Mark A. Steinberg, Zoning Board Attorney
James Higgins, P.P. Board Planner
William Fitzgerald, P.E. Board Engineer
Marianne Wilensky, Planning Administrator
Rachel Goncharko, 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 1, 2013.

Peter Falvo, Esquire, attorney for the applicant JPMD, LLC on tonight's agenda, announced that the applicant will not be present and will have to carry to the next meeting on November 14, 2013.

CASES CARRIED TO November 14, 2013

CBS Outdoor, Inc.
Block 215 Lot 3
1021 Route 35 North
Ocean

Marc & Laura Mizrachi
Block 25 Lot 49
29 Shadow Lawn Drive
Oakhurst

JPMD, LLC
Block 1.02 Lot 47
31 Cindy Lane
Ocean

Samantha Sasson
Block 44 Lots, 3, 4
200 Parker Avenue
Deal

Dorthea E. Helfgott-Daus
Block 25.18 Lot 2
433 Wells Avenue
Oakhurst

Rohan Defonseka
Block 34.02 Lot 8
17 Christy Lane
Wayside

Richard and Gina Pesce
Block 140 Lot 60
1205 Turner Avenue
Wanamassa

RESOLUTION OF RECOGNITION

Chairman Goode read a resolution thanking former Board Member Leon Pflaster for his time on the Board of Adjustment. A motion of approval was made by Warren Goode and seconded by Henry Schepiga.

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

RESOLUTION MEMORIALIZATIONS

Ocean Senior Citizen Housing Corp

Block 22 Lot 32
67 Skinner Drive
Oakhurst
Conditional Use
Bulk Variances
Minor Subdivision

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

Thomas & Rhonda Mazza

Block 36 Lot 3
536 Green Grove Road
Wayside
Bulk Variance Approval

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

Michael Richison & Marina Vujnovic

Block 138 Lot 10
1108 Roseld Avenue
Ocean
Bulk Variance Approval

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

CONTINUED CASES

Yossi & Shouli Teichman

Block 33.03 Lot 7
539 Trenton Avenue
Oakhurst
Zone R-4

This is an application to demolish an existing house and erect a new house with variances for lot area and lot width under minimum.

Board Attorney Mark Steinberg summarized what happened at the last hearing and explained that Mr. Teichman had to send certified/return receipt letters to the adjoining property owners offering the property for sale. Mr. Teichman sent the letters which are part of the Board's information packet. The packet was marked B-2. Mr. Teichman explained that he received one letter in response in which the neighbor was not interested in purchasing the property. He has the certified mailing green card signed from the other neighbor.

The letter sent to the owners of 3 Arlington Street was marked into evidence A-2. The letter sent to the owners of 535 Trenton Avenue was marked into evidence A-3.

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

In Favor: Grabelle, Malta, Schepiga, Worrell, Goode
Opposed: None

Mr. Steinberg read a positive resolution prepared in advance of tonight's meeting.

A motion of approval and memorialization was made by Henry Schepiga and seconded by Jane Grabelle.

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

Illiano's of Ocean, Inc.
Block 1.02 Lot 7
933 West Park Avenue
Ocean
Zone T-1

This is an application for a "d" variance and for preliminary and final site plan approval with bulk variances.

Attorney for the applicant: Peter B. Bass, Esquire

The Board's information packet containing the reports of the Board Professionals and in-house departments was marked into evidence B-3. Board Planner James Higgins, P.P. and Board Engineer William Fitzgerald, P.E. summarized their reports.

Engineer for the applicant, Charles Surmonte said that they will provide a tree count for Mr. Higgins to review. In response to Mr. Fitzgerald's report, they will slide the light poles to the south in order to better illuminate the driveway.

Mr. Bass said that they will make application to the Monmouth County Planning Board to see if the County will require a right-of-way along West Park Avenue. The front yard setback variance will be determined based on if the County requires the easement or a dedication. The front yard setback will be 38.7' unless the County requires the dedication.

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

In Favor: Grabelle, Malta, Schepiga, Worrell, Goode
Opposed: None

A motion to approve the D-2 variance was made by Henry Schepiga and seconded by Russell Malta.

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

Chairman Goode said that he would like hairpin striping in the parking lot. Mr. Surmonte said that he will add that to the plan.

A motion to approve the bulk variances was made by Henry Schepiga and seconded by Russell Malta.

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

Mr. Higgins said that the applicant no longer requires waivers for the tree location and preservation plan and street trees. Mr. Steinberg said that he would like a timeline established for the work. Mr. Bass said that they will make application to the Monmouth County Planning Board within 30 days of today. Revised plans will be submitted within 30 days of today. All the work will be completed by June 15th, 2014. If the work is not completed by that time, they will be in violation of the approvals.

A motion to approve the preliminary and final site plan was made by Henry Schepiga and seconded by Russell Malta.

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

To be memorialized November 14, 2013.

CARRIED CASE

Ilene Theodore

Block 175 Lot 6
32 Middlebrook Drive
Ocean
Zone R-3

This is an application to install a generator with variances for side yard setback under minimum and construction in a floodplain.

Attorney for the applicant: Gary S. Theodore, Esquire

Chairman Goode left the dais as he is disqualified on this application. Vice Chairman Schepiga served as Chairman.

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked into evidence B-1. Planning Administrator Marianne Wilensky read her report, explaining that the brand of generator required a larger setback than most brands making the placement difficult. Board Engineer, William Fitzgerald, P.E. said that he had no issue with the application.

Ilene Theodore explained that she would like to install a home generator to power the entire house during power outages. Mr. Schepiga asked if this was the best location for the generator. Mr. Fitzgerald said that it was and with the proposed screening it will not be worse than any other generator.

Attorney for the applicant, Gary S. Theodore, explained that the generator will turn on once a month for a test run and then will shut down again.

Color images of a simulated generator with landscaping were submitted into evidence A-1. The generator will be screened on two sides.

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

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

A motion to approve the application was made by Jane Grabelle and seconded by James Worrell.

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

To be memorialized on November 14, 2013.

Chairman Goode returned to the dais.

Bryan Morgan

Block 33.02 Lot 2
559 Trenton Avenue
Oakhurst
Zone R-4

This is an application to erect a 6' high fence and install a shed with variances for front yard setback under minimum.

The Board's information packet containing the 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, PE said that he had no issue with the application and suggested three options for the Board to consider with regard to the placement of the shed and fence along the unimproved Orange Street.

Bryan Morgan said that he wants to install a 6' vinyl fence and the shed for more security and privacy. The shed will match the exterior of the home with the same shutters, roof and siding.

Mr. Morgan agreed that if Orange Street is ever improved he will move the shed 20' from the front property line and the fence 15' from the front property line and will install landscaping for the street side.

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

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

A motion to approve the application was made by Henry Schepiga and seconded by Jane Grabelle.

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

To be memorialized on November 14, 2013.

Hillel School

Block 34.03 Lots 2, 2.01
1025 Deal Road
Ocean
Zone R-3-PRD

This is an application for a "d" variance in order to change the conditions of approval for a for-profit summer camp and for minor site plan approval.

Attorney for the applicant: Rick Brodsky, Esquire

Peter S. Falvo, Jr., Esquire represented the applicant for Rick Brodsky, Esquire.

Victor Gindi, Director of the summer camp, was sworn in.

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked B-1. Board Planner James Higgins, P.P. and Board Engineer William Fitzgerald, P.E. read their reports. Mr. Fitzgerald referred to the report of the Environmental Commission in B-1 and said that those issues have been taken care of during technical review meetings with the applicant.

David Boesch, the project manager for the applicant, submitted the "Proposed Temporary Pool Plan" dated 02/07/06, revised through 09/18/13 which was marked into evidence A-1.

Mr. Boesch explained that the original approval for the camp had one pool. As the camp grew and new approvals were granted an additional pool was added. Now they are proposing to keep the two pools and add another pool in order to separate the younger children from the older children. There will be fencing around the pools.

Mr. Boesch referred to a State map for the construction of Route 18 which was marked into evidence A-2. He explained that the fence shown along Deal Road and Route 18 was installed by the State during the construction of the highway. The map shows that the fence begins on State property and continues onto the school property. He said that the applicant would rather keep the fence than remove it.

Architectural plans prepared by Robert Hazelrigg were marked into evidence A-3. These plans must be submitted as a condition of approval.

Vice Chairman Schepiga asked about the walkway around the pool. Mr. Boesch said that it will be an elevated deck for the lifeguards and counselors. Details of the deck will be shown on the architectural plans.

Mr. Gindi said that they are asking for the variance to be granted permanently rather than on a temporary basis and to increase the number of students from 375 to 550. He said that the number of students would gradually increase and would only add three more buses. The buses are only used for pick-up and drop-off which the exception of field trips. He said that only about four or five parents drop off their children.

Board Member Richard Van Wagner arrived at 8:45 PM.

Mr. Worrell referred to the violation notice regarding trees in B-1 and asked if it had been resolved. Darin Shabot, on the Board of Directors at the Hillel School and in charge of Buildings and Grounds, was sworn in to address this violation. He explained that during Hurricane Sandy, trees had fallen down on the east side of the property between the school and the fire department. In anticipation of a sidewalk being installed in that location, the parties agreed to wait to have the trees removed until the sidewalk was constructed.

Ms. Bonney asked if the pools are temporary. Mr. Gindi said that they put up the pools in the spring and take them down in the fall before school starts. Mr. Higgins suggested that there be a condition in the resolution stating the timeline. Mr. Worrell asked why there are details for pool covers if they are temporary. Mr. Higgins said that the pools are required to be covered every evening. Mr. Steinberg explained that in past approvals, the Board did not want landscaping around the fence for visibility and safety.

Dave Hiers, Administrator of the Board of Commissioners, Fire District 1, said that Fire District 1 is concerned with the sidewalk and safety of walkers. Mr. Shabot said that sidewalk will go from Deal Road across the property to the parking lot at the temple. The sidewalk was requested during the Founders Hall application. Mr. Hiers said that they would like a fence on the east side of the sidewalk so that people do not walk onto the fire department's property on their way to the temple. He said that their main concern is the safety of people when the fire trucks go out.

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

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

A motion to approve the "d" variance with the condition that the number of students will not exceed 550 was made by Henry Schepiga and seconded by Jane Grabelle.

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

Chairman Goode said that he did not see any reason to require a fence along the east side of the sidewalk.

A motion to approve the minor site plan with the condition that revised architectural plans be submitted was made by Warren Goode and seconded by Jane Grabelle.

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

To be memorialized on November 14, 2013.

Meeting adjourned at 9:15 P.M.

Rachel Goncharko
Board Secretary
Recording Secretary