

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

DISCUSSION: William Low  
Block 150.01 Lot 59

Planning Administrator Marianne Wilensky explained that she tried to get in contact with the applicant, leaving phone messages, to get in touch with her about tonight's hearing. She said that the approved plans for Cedar Village show a detail for a specific kind of fence where there are walls. A change to the fence needs to be approved by the Planning Board. The Board of Adjustment has no jurisdiction and the case cannot be heard tonight.

**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  
Peter Siano, Alt IV  
James Worrell, Alt I  
Warren Goode, Chair

MEMBERS ABSENT: Eric Menell  
Henry Schepiga, V Chair  
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 Montemarano, Board Secretary  
Recording Secretary

Chairman 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 May 7, 2014.

**CASE CARRIED TO July 26, 2014**

**Eli Haddad**

Block 25 Lot 48  
27 Shadow Lawn Drive  
Oakhurst

**CASE CARRIED TO August 14, 2014**

**Nicole Shamah**

Block 16.01 Lot 5  
230 Lawrence Avenue  
Oakhurst

**MINUTES FOR APPROVAL**

A motion was made by Jane Grabelle and seconded by James Worrell to approve the **minutes from the meeting of April 10, 2014.**

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

A motion was made by James Worrell and seconded by Peter Siano to approve the **minutes from the meeting of April 29, 2014.**

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

A motion was made by Jane Grabelle and seconded by James Worrell to approve the **minutes from the meeting of May 8, 2014.**

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

### **RESOLUTION MEMORIALIZATIONS**

#### **MNC Properties, LLC**

Block 137 Lots 30, 31  
909 Route 35 North  
Ocean  
Amended Site Plan

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

#### **Shore Area Mikveh**

Block 13 Lot 16  
201 Jerome Avenue  
Oakhurst  
Bulk Variance Approval  
Minor Site Plan

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

#### **John & Christine Levy**

Block 74 Lot 7  
525 S. Edgemere Drive  
Oakhurst  
Bulk Variance Approval

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

### **CARRIED CASES**

#### **William Low**

Block 150.01 Lot 59  
33 Benn Lane  
Ocean  
Zone R-3-PAC

This is an application to erect a 3' high picket fence with a variance for fencing not permitted on an individual homeowner's lot.

Board Attorney Mark Steinberg explained that the Board does not have jurisdiction to approve this change. The Homeowner's Association must make the application to the Planning Board.

Mr. Low said that this has been going on for a long time. Planning Administrator Marianne Wilensky said that she spoke to the Homeowner's Association and encouraged them to make the application, but the Low's finally made an application in March. Ms. Wilensky said that she will work with the Association and the Low's in filing the application as the Association must be the applicant.

A motion to transfer jurisdiction to the Planning Board was made by Chairman Goode and seconded by John Napolitani.

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

**Shore Customs**

Block 204 Lot 4  
1213 Route 35  
Ocean  
Zone C-3

This is an application for a "d" variance and minor site plan approval.

Attorney for the applicant: Gary Fox, Esquire

Chairman Goode left the dais as he is disqualified on this application. Russ Malta served as chairman for this application.

Dennis Melofchik, Esquire represented the applicant in place of Gary Fox, Esquire.

The Board's information packet was marked B-1. Board Planner James Higgins read his report, noting that the site is underparked and the number of adequate parking spaces needs to be determined. Board Engineer William Fitzgerald summarized his report, noting that the discrepancies of the curb cuts between the survey and the tax map must be clarified.

Scott Goldy, the owner of Shore Customs, said that he has been operating his business at 819 Highway 35 for 25 years and has had no complaints. Mr. Goldy described his business operations for the new location which includes a showroom in the front and a service area in the rear. Customers can make purchases and schedule installation appointments in the showroom. They will bring their cars back on their appointment date, the cars will be brought inside for installation, and then they will be picked up. The installation bay can fit 8 cars at one time. There will be no overnight parking on the street and the cars will be kept inside the installation bay until they are picked up. Mr. Goldy said that there are six employees and there is room next to the garage for them to park.

Mr. Goldy said that he will provide the required ADA space and will work with Mr. Higgins and Mr. Fitzgerald on the landscaping, curbing and paving. He said that he approached the owner of the Caramel Shop next door regarding the ingress and egress concerns. He said that the owner did not want to change the current arrangement as there have never been any accidents since he bought the property in 1975. Mr. Goldy said that he will do whatever is required to comply with the lighting requirements. Mr. Fitzgerald said that it may not be physically possible for the site.

Mr. Goldy described the types of equipment he installs, including heated seats, trailer hitches, window tinting and electronics. He said that there are two vehicles, a F250 truck and a Ford Fiesta, that are used by two employees who either bring them home or they are parked inside overnight.

Anthony Ercolino, the architect for the applicant, marked the architectural plans dated April 9, 2014 revised through June 6, 2014 into evidence A-1. He said that there is 2,979 sq ft for retail space, 2,192 sq ft for installation space and 461 sq ft for storage. He said that there is room by the garage door for a few parking spaces and a new trash enclosure. The enclosure will be painted the same color as the building and will have board on board gates. There are 11 parking spaces along Highway 35 and 8 parking spaces along Allenhurst Avenue. He said that there is room to add an ADA space at the southwest corner of the building. He said that he will work with the Board's professionals to do whatever is necessary to light the parking lot. Mr. Goldy and Mr. Ercolino agreed that they will continue with the beige color and green band around the building.

The Board discussed the number of parking spaces. The applicant plans to use the paved portion in the rear for stacked parking for the employees. Board Attorney Mark

Steinberg said that there needs to be planning testimony as to the intensity of the use versus other uses and what parking should be required.

Andrew Thomas, P.P., the planner for the applicant, gave testimony as to the D-1 variance that is being requested. He said that the use is suited for the site and that it poses no detriment to the public good. The installation area is in the rear and enclosed by the building, providing a unique buffer to Allenhurst Avenue. The installation areas are heated and cooled, to allow for the installations to be performed inside, containing any noise. He said that the total number of parking spaces required for this type of use wouldn't be as high compared to a permitted retail use. It is not as intense as a retail use, similar to the dry cleaner that is also on site. He said that there is enough room to add an ADA space and additional spaces in the back for employee parking. He said that this use is in the same spirit as the previously approved use even though technology has changed since 1986.

Mr. Goldy explained that there are 6 employees, though two have company cars that they bring home with them and take on the road for service to car dealerships. There are four employees on site.

Mr. Steinberg asked about the parking for the Caramel Shop. Mr. Thomas submitted an NJDEP aerial from 2012 showing the existing land use prepared by him on June 23, 2014 which was marked into evidence A-2. He referred to the parking lot for the Caramel Shop. He pointed out four delineated spaces on the south side of the building.

Mr. Fitzgerald asked about the access to the site. Mr. Melofchik said that it predates the applicant and that it has existed for all the prior uses without any violations being issued. Mr. Steinberg suggested getting an easement for access between both property owners. The Board agreed that the easement should be taken care of before granting an approval.

Planning Administrator Marianne Wilensky said that when Helios Construction moves to their new location, the empty unit will have to be converted for a permitted use and the required parking must be considered. Mr. Steinberg said that the Board needs to see a plan in order to consider granting the parking variances.

Phil Sakelaris, owner of the Caramel Shop, said that there is minimal traffic on Allenhurst Avenue, and although a stop sign at the exit onto Allenhurst Avenue would improve the traffic, he has no issues with accidents. He said that a few customers leave his store using Allenhurst Avenue, but that most egress onto Highway 35 which is dangerous. Mr. Fitzgerald agreed that it is unsafe.

Peter Stamp, 1319 Allenhurst Avenue, expressed concerns about parking on Allenhurst Avenue. Mr. Higgins said that a permitted use would lead to many more cars parked along Allenhurst Avenue. Mr. Malta said that it sounds like this use will require less parking than a permitted use and there would be a greater likelihood of less cars parking on the street. Mr. Steinberg said that it can be a condition of approval that the applicant's cars or that the cars that are being serviced must not be parked overnight on the street. Mr. Stamp said that he has no issue with that as long as it is enforced.

Mr. Melofchik asked how they can force the adjacent property owner to agree to an easement. Mr. Fitzgerald suggested that they design the site so that it does not require the adjacent site for access.

The Board agreed to carry the application to July 10, 2014. Mr. Malta said that he is in favor of the use but has questions regarding the site plan. Revised plans must be submitted ten days before the hearing. Mr. Melofchik said that they will try to get it done by then.

Mr. Malta carried the application to July 10, 2014.

Board Planner James Higgins left the meeting at 9:30 PM.

The Board took a break and resumed at 9:40 PM.

Chairman Goode returned to the dais at 9:40 PM.

### **NEW CASES**

#### **Mark Schwartz**

Block 25.34 Lot 31.02  
402 Redmond Avenue  
Oakhurst  
Zone R-4

This is an application to erect a fence, deck, generator and shed with a variance for construction in a flood plain.

Planning Administrator Marianne Wilensky explained that the applicant has asked to adjourn his hearing until August 14, 2014.

Chairman Goode carried the application to August 14, 2014.

#### **Paul and Janice Stolowski**

Block 18 Lot 17  
217 Cedar Street  
Oakhurst  
Zone R-4

This is an application to erect additions with a variance for total side yard setback of 19.2' where 25' is required and 25.3' exists.

Attorney for the applicant: Kevin E. Kennedy, Esq.

Richard Ciria, Esquire represented the applicant.

The Board's information packet containing the reports of the Board's professionals was marked as B-1. Planning Administrator Marianne Wilensky read her report. Board Engineer William Fitzgerald said that he has no concerns with this application.

Mr. Ciria said that the owner is proposing an addition and that it will keep to the character of the neighborhood. Ms. Wilensky said that the applicant only needs one variance for total side yard setback and that there are existing bulk variances.

Janice Stolowski said that they have owned the home since 1996. It was built in 1931 with no previous additions. She said that they have two bedrooms, but need three as they have two children, a girl and a boy. She said that they also need more living space.

Mr. Ciria submitted six photos that were marked into evidence A-1. The photos were taken last week and show the following:

1. The back of the house
2. The back yard
3. The front of the house
4. The side of the house
5. The side of the house with the driveway
6. The back of the house

Photos 4 – 6 show where the addition is proposed.

Mrs. Stolowski said that her family loves the neighborhood and does not want to move. The addition will include a master bedroom and bathroom, additional living space downstairs and a porch. There will be three bedrooms and 2 ½ baths when completed. Mrs. Stolowski said that the addition will provide more privacy. The roofline will remain the same and the siding and shingles will match what is existing. They will begin construction as soon as possible and estimate the work to take 3 – 4 months.

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

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

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

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

To be memorialized on July 10, 2014.

Meeting adjourned at 9:50 P.M.

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Rachel Montemarano  
Board Secretary  
Recording Secretary