

**CAUCUS SESSION:** 7:15 P.M. Municipal Building Public Meeting 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 I  
Jane Grabelle  
Russell Malta (arriv. 7:40 PM)  
Eric Menell  
John Napolitani, Alt II  
Henry Schepiga, V. Ch.  
Peter Siano, Alt III  
Charles Theodora, Alt IV  
James Worrell  
Warren Goode, Ch. (Arriv. 8:35 PM)

MEMBERS ABSENT: 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

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 and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk on July 11, 2014.

**CASES CARRIED TO November 13, 2014**

**2112 Highway 35  
Associates, LLC**  
Block 3.01 Lots 6, 7, 8  
2112 Highway 35  
Oakhurst

**Sam Mizrahi**  
Block 58 Lot 11  
150 Monmouth Road  
Oakhurst

**Gene and Grace Anne  
Talarico**  
Block 187 Lot 47  
21 Fieldstone Lane  
Wayside

**MINUTES FOR APPROVAL**

A motion was made by Jane Grabelle and seconded by John Napolitani to approve the **minutes from the meeting of June 26, 2014.**

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

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

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

A motion was made by James Worrell and seconded by Peter Siano to approve the **minutes from the meeting of August 14, 2014.**

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

### **RESOLUTION MEMORIALIZATIONS**

#### **CBS Outdoor, Inc.**

Block 215 Lot 3  
1021 Route 35 North  
Ocean  
"d" variance  
Minor Site Plan

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

Board member Russell Malta arrived at 7:40 PM.

#### **Nicole Shamah**

Block 16.01 Lot 5  
230 Lawrence Avenue  
Oakhurst  
Dismissal

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

#### **Mark Schwartz**

Block 25.34 Lot 31.02  
402 Redmond Avenue  
Oakhurst  
Bulk Variances

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

#### **Heritage Village at Oakhurst LLC**

Block 3 Lots 16.03, 16.04  
777 West Park Avenue  
Oakhurst  
"d" variance  
Bulk variances  
Preliminary and final site plan

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

### **CARRIED CASES**

#### **JPMD, LLC**

Block 1.02 Lot 47  
31 Cindy Lane  
Ocean  
Zone I-1

This is an application for preliminary and final site plan approval with variances.

Attorney for the applicant: Jennifer S. Krimko, Esquire

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, PP read his report. Board Engineer William Fitzgerald, PE summarized his report.

Attorney for the applicant, Jennifer S. Krimko, Esquire submitted into evidence as A-1 the site plan prepared by Nelson Engineering dated November 15, 2013 revised through September 15, 2014. The project manager for the application, David Boesch, described the minor improvements proposed for the site, including street trees along Cindy Lane, a dumpster enclosure, replacing a stone area with a vegetated area and the removal of an island. Mr. Boesch said that they can comply with the requirements in the reports of the Board's professionals. He said that the car carrier will not be at this location.

A motion to close the public hearing was made by Jane Grabelle and seconded by John Napolitani.

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

A motion to approve the bulk variance for additional parking was made by Jane Grabelle and seconded by Eric Menell.

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

A motion to approve the preliminary and final site plan was made by Jane Grabelle and seconded by Eric Menell.

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

To be memorialized on November 13, 2014.

**Rene Rofe**

Block 9 Lot 10  
231 Park Avenue  
Oakhurst  
Zone R-1

This is an application for a "d" variance to construct a pool cabana with both a bathroom and HVAC unit and a bulk variance for building height of 23.5' where a maximum of 15' is permitted.

Attorney for the applicant: Jennifer S. Krimko, Esquire

Board Member Maureen Bonney disqualified herself on this application and left the dais.

The Board's information packet containing reports of the Board' professionals and in-house departments was marked B-1. Board Planner James Higgins, PP read his report. Board Engineer William Fitzgerald, PE summarized his report, noting that he is not concerned with the engineering, rather the driveway that reaches Norwood Avenue.

Attorney for the applicant, Jennifer S. Krimko, Esquire submitted the following items into evidence:

- A-1 Architectural plans dated 9/20/14
- A-2 Aerial of the property from Google Maps.

Ms. Krimko addressed the driveway, explaining that there are two residences on the property. One is in the rear of the property that is a life estate for an elderly woman. The driveway is an access easement for her use. Ms. Krimko said that the applicant can agree that construction vehicles will not use it.

The architect for the applicant, David Collins, referred to A-1 to describe the site, which is 14.7 acres. He said that they are proposing to construct a cabana and extend the pool deck. He described the floor plan of the cabana as having an open air seating area, eating area, storage, laundry and bathroom and a BBQ and bar area. Mr. Collins said that all the rooms are open to the outside and not interconnected and the cabana is not intended to function as a residence. The owners are willing to put a deed restriction that there will be no beds or daybeds.

He explained that they are seeking a height variance because the design of the cabana matches the existing home with a pitched roof. The pitch will be 23.6'. Mr.

Higgins explained that that is 14.2' less than what would be allowed were it a principal structure.

Board member Russell Malta asked about tree removal. Mr. Collins said that a bulk of the trees will remain in the buffer. Mr. Higgins said that they must submit an inventory of the trees coming down. Mr. Collins agreed.

The planner for the applicant, Keenan Hughes, said that he agrees with the recommendations of the Board's professionals. He gave planning testimony, listing the positive criteria for the use. He noted that the property is large enough for a 10 home subdivision. The cabana will be used as a den during winter. He said that it is a reasonable enjoyment of their property and they are preserving family style living, furthering the zone plan. He said that the cabana will match the existing home and that there is an existing buffer so it will not be visible to the neighbors.

Mr. Higgins asked about the life rights of the second dwelling and what would happen to the access driveway when they expire. Ms. Krimko conferred with her clients and said that they are not willing to give up the pre-existing non-conforming use. She said that when the life estate expires, her client would then become responsible for the maintenance of the driveway. She said that it is a gravel driveway that is very vegetated. The Board discussed the use of the driveway. Ms. Krimko said that the driveway has no impact on the variance that the applicant is seeking.

Planning Administrator Marianne Wilensky said that she did receive a letter from a neighbor who was unable to be at the hearing, but had been at the hearing when the applicant carried due to lack of quorum. Ms. Krimko reviewed the letter and indicated that the driveway would not be used during construction or for any use of the cabana. Ms. Krimko said that her client does not want to give up the pre-existing non-conforming rights.

Mr. Hughes said that the cabana is for recreational enjoyment. He noted that it is within the required setbacks. Ms. Krimko said that it is a benefit in that the property could be sold and developed into ten homes. Mr. Hughes agreed.

A motion to close the public hearing was made by James Worrell and seconded by Russell Malta.

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

A motion to approve the D-1 variance was made by Russell Malta and seconded by James Worrell.

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

A motion to approve the height variance was made by Russell Malta and seconded by Eric Menell.

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

To be memorialized on November 13, 2014.

The Board took a break at 8:35 PM and resumed at 8:40 PM.

Ms. Bonney returned to the dais and Chairman Goode arrived at 8:40 PM.

**Mayer and Rosie Chemtob**

Block 9 Lot 11  
205 Park Avenue  
Oakhurst  
Zone R-1

This is an application to keep a trash enclosure with a variance for side yard setback of 0' where a minimum of 20' is required.

Attorney for the applicant: Paul V. Fernicola, Esquire

The Board's information packet, containing 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 summarized his report.

Attorney for the applicant, Paul V. Fernicola, Esquire explained that the neighbor's house is 300' away from the trash enclosure. Mr. Fitzgerald said that the trash enclosure has no impact.

Mr. Chemtob said that he purchased the property in 2005 when it was a vacant lot. He constructed a new home and the enclosure to match. He said that the enclosure was depicted on pool plans that were submitted for a permit and that's how he learned that a variance was required.

A motion to close the public hearing was made by James Worrell and seconded by Henry Schepiga.

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

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

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

To be memorialized November 13, 2014.

**NEW CASES**

**Yeshiva Gedola Na'os  
Yaakov, Inc.**

Block 216 Lot 19  
1514 Logan Road  
Wanamassa  
Zone R-4

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

Attorney for the applicant: Jennifer S. Krimko, Esq.

The Board's information packet containing the reports of the Board's professionals was marked B-1. Board Planner James Higgins, PP said that the applicant has indicated that they can comply with the items in his report and the report of the Board Engineer and that they are here tonight to discuss the use. Mr. Higgins said that students 18 years of age or older are specifically not permitted in the ordinance. He said that he testified in Manalapan that a similar use was inherently beneficial and that the applicant will have to provide planning testimony. Board Engineer William Fitzgerald, PE summarized his report, noting that the improvements are primarily on the north and south of the property which are closest to adjoining residences. He suggested moving the improvements furthest away from those residences.

Attorney for the applicant, Jennifer S. Krimko, Esquire said that she has reviewed the reports and revised site plans will be submitted for the next meeting. She read a news article from the June 7, 1987 issue of the Philadelphia Inquirer that was about a similar Yeshiva. Ms. Krimko submitted the following items into evidence:

- A-1 Use variance site plan revised through 9/30/14 by Nelson Engineering
- A-2 Architectural plans consisting of 3 sheets revised through 9/30/14
- A-3 Resume of Rabbi Shlomo Lesin
- A-4 Resume of HaRav Shlomo Feivel Schustal
- A-5 Daily Schedule
- A-6 Declaration of Responsibilities and Mission Statement
- A-7 Overview
- A-8 Catalog
- A-9 Photo of the existing building
- A-10 Computer generated photo showing façade improvements on Logan Road

The project manager for the application, David Boesch of Nelson Engineering explained that they are revising the site layout to conform to the reports of the Board's professionals. He described the site as it exists and what is proposed. They are proposing to relocate the circulation and traffic component to the south east portion of the site away from the residences and to enable more landscaped areas. They are also moving the trash enclosure. These changes will be shown on the revised plans.

Christian Larsen, 1517 Logan Road, asked about the driveway on the north side of the site. Ms. Krimko explained that this plan will be changing and that they will be back before the Board with revised plans.

April Horvath of Shore Point Architecture referred to the architectural plans to describe the layout. She said that the 17,800 sq ft building is primarily 1 story. There is less than 1,000 sq ft over the existing gymnasium. There will be 96 students and one adult supervisor who will live there. There will be 4 – 10 students per room, with 65 sq ft per student provided. She explained that code allows for 300 maximum occupants with 50 sq ft per occupant. She said that they are also making code upgrades throughout the building, including ADA accessible entrances and bathrooms. She said that they are providing more than required bathroom fixtures for the 96 students. There will be 18 bedrooms plus one for the adult supervisor, two classrooms and a kitchen. There will be no cooking in the kitchen as all meals will be delivered.

Ms. Krimko presented Rabbi Lesin, who gave his background in Talmudic study and teaching. He said that he developed a school in Long Beach, NY where he was responsible for the finances, public relations and donor relations for 35 years. He said that that school is similar in use to this one that is proposed. Ms. Krimko asked him to explain why he wanted to locate the school in Ocean Township. Rabbi Lesin said that the school in Long Beach was completely isolated from the community so the students could be completely involved in their studies without distraction. He said that he wants a location outside of Lakewood so that the students will have no distractions. He said that not one family of the students moved to Long Beach to be near the school.

Rabbi Lesin described the Yeshiva and the students that study there to gain leadership skills and character development. He described the students to be an elite group, comparing the Yeshiva to Harvard University. The students must have a high school diploma, have completed at least 150 pages of the Talmud, and perform an oral exam with the Dean of the school. The students are young men between the ages of 18-22 that will study there before they go to college. They go on to become Rabbis, teachers and educators in their communities. The school is temporarily operating out of state.

Rabbi Lesin referred to A-5 to go over the students' daily schedule which begins at 7:30 AM for morning prayers, then moving to study before breakfast. He said that deliveries are not allowed to be there before 8 AM. After breakfast, Talmudic study begins. The students study in pairs in order to challenge each other.

With the allotted time ending, Chairman Goode carried this application to November 13, 2014. Ms. Krimko asked if the Board would consider a special meeting.

Ms. Wilensky said that it's possible that she may be able to arrange a special meeting in January.

Board member John Napolitani left the meeting at 9:40 PM.

**Donald and Renee Dorfman**

Block 140.15 Lot 3  
203 Bimble Blvd.  
Colonial Terrace  
Zone R-4

This is an application to construct a new covered front porch entry with a variance for a front yard setback of 23' where 30' exists and is required.

The applicant, Donald Dorfman and his son, David Dorfman, 6 Cypress Avenue, were present. David Dorfman said that he prepared the plans.

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. Donald Dorfman explained that during the bad winter last year his front steps were frozen every morning. The steps crumbled with all the salt to break up the ice. He said it is a matter of safety in addition to saving the expense of having to replace the steps each year. The covered entry will match the rest of the house.

A motion to close the public hearing was made by Henry Schepiga and seconded by James Worrell.

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

A motion to approve the application was made by Jane Grabelle and seconded by Maureen Bonney.

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

To be memorialized November 13, 2014.

**Brian Mullins**

Block 140.15 Lot 8  
107 Bimble Blvd.  
Colonial Terrace  
Zone R-4

This is an application to construct a 2-story addition and driveway with variances for rear yard setback under minimum and driveway width over maximum.

The Board's information packet containing the reports of the Board's professionals was marked B-1. Planning Administrator Marianne Wilensky read her report, noting a discrepancy in the width of the driveway. Mr. Mullins said that it was not their intention to widen the driveway. Board Engineer William Fitzgerald, PE summarized his report, noting that he has no issues with the proposed addition but that a note for erosion and sediment control to Deal Lake should be added to the plans. He said that the applicant is proposing to remove the wood frame from the existing garage and use the remaining floor as a patio, which he said is a good idea.

Mr. Mullins said that they are proposing a two-car garage with a den and bathroom behind. A new master bedroom suite will be constructed above. He said that they need to expand the home for their growing family. The addition will match the rest of the home.

Mr. Mullins agreed that the driveway width will be reduced to 20', therefore no variance is needed for the driveway.

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

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

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

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

To be memorialized November 13, 2014.

**JoAnne Krulikowski**

Block 37.16 Lot 25  
6 Clicwood Court  
Wayside  
Zone R-3

This is an application to erect an addition and a patio with variances for front yard setback under minimum.

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

Ms. Krulikowski said that it is an older house and that it needs updating. She wants to stay in Ocean with her kids and the addition is necessary for her family's growing needs. The addition will keep to the character of the home, but make it functional. It will match the existing home. The addition will consist of two bedrooms, a great room, den, guestroom and patio. The guestroom will have no access to the outside.

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

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

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

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

To be memorialized November 13, 2014.

Meeting adjourned at 9:57 P.M.

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Rachel Montemarano  
Board Secretary  
Recording Secretary