

CAUCUS SESSION: 7:15 P.M. Second 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 I
Jane Grabelle
Eric Menell
Henry Schepiga, V Ch
Peter Siano, Alt III
Charles Theodora, Alt IV
Richard Van Wagner
James Worrell
Warren Goode, Chair

MEMBERS

ABSENT: Russell Malta
John Napolitani

OTHERS PRESENT

Mark A. Steinberg,	Zoning Board Attorney
James Higgins, PP	Board Planner
William Fitzgerald, PE	Board Engineer
Marianne Wilensky,	Planning Administrator
Rachel Montemarano,	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 July 11, 2014.

CASES CARRIED to May 14, 2015

Sam Mizrahi

Block 58 Lot 11
150 Monmouth Road
Oakhurst

Sandra Reeves

Block 76 lot 2
491 S. Edgemere Drive
West Allenhurst

Sandra Birchler

Block 123 Lot 49
46 Ballard Drive
Ocean

CASE CARRIED to May 18, 2015

Yeshiva Gedola Na'os Yaakov, Inc.

Block 216 Lot 19
1515 Logan Road
Wanamassa

Location:

Ocean Township High School
Auditorium
550 West Park Avenue
Oakhurst

Time:

7:00 PM

CASES CARRIED to June 3, 2015

Deanna and Michael Houlihan

Block 40 Lot 61
806 Maple Street
West Deal

St. George Greek Orthodox Church

Block 1.02 Lot 73
1033 West Park Avenue
Ocean

MINUTES FOR APPROVAL

A motion was made by Jane Grabelle and seconded by James Worrell to approve the **minutes from the meeting of February 12, 2015.**

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

A motion was made by Jane Grabelle and seconded by James Worrell to approve the **minutes from the meeting of February 24, 2015.**

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

A motion was made by James Worrell and seconded by Warren Goode to approve the **minutes from the meeting of March 12, 2015.**

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

RESOLUTION MEMORIALIZATION

R.C. Realties South, LLC

Block 3 Lots 2.01, 3
2133-2135 Highway 35
Oakhurst
Use Variance
Preliminary and Final Site Plan
Bulk Variance Approval

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

CARRIED CASES

David Azar

Block 8 Lot 7
333 Park Avenue
Oakhurst
Zone R-2

This is an application to keep a basketball court and a driveway with variances for front yard setback under minimum, side yard setback under minimum and hedge height over maximum.

Attorney for the applicant: Jennifer S. Krimko, 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 summarized his report.

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

- A-1 Landscape Plan dated March 13, 2015
- A-2 8 page photo packet containing images downloaded from Google Earth, Bing and photos taken by Ms. Krimko

Ms. Krimko explained that they did not have time to revise the plans based on the reports, but have a concept plan with potential revisions based on the reports that was submitted and marked as A-3 for ID only.

The engineer for the applicant, David Boesch, referred to an exhibit of A-1 to describe the site and what is proposed. Mr. Boesch explained that the property had been a through street until Laird Street was vacated, creating a unique situation of frontage on their property. With regard to the sheds, the applicant is proposing to move the first shed over the property line onto their property and relocate the other shed to a conforming location. With regard to the driveway, Mr. Boesch said that the property line is skewed to the west; therefore the driveway encroaches within the 5' setback area. Ms. Krimko noted that there is substantial landscaping between the properties that mitigate this existing nonconformity. Mr. Boesch added that there is a basketball court on the neighboring property next to the driveway.

Ms. Krimko said that the basketball court would have to be shifted away from Laird Street to the south in order to conform. Mr. Boesch said that the court would have to be moved 60'. Ms. Krimko noted that the court would still be visible from Laird Street if moved to be conforming, but if approved to remain in its location, the Board can impose mitigations and require buffers.

Mr. Boesch described the proposed drainage options. Mr. Fitzgerald suggested three drywell points that would be more efficient than just one and said that it has to be engineered. Mr. Fitzgerald said that there are drainage problems all over town and that play surfaces can adversely affect neighboring properties.

Mr. Boesch said that the proposed fence will be a 6' solid fence with continuous evergreens. Mr. Fitzgerald suggested an estate fence rather than a solid fence and said that the fence should be on the outside with the landscaping on the inside.

Chairman Goode asked what the setback of the court would have to be if Laird Street was not there. Ms. Wilensky said that it would be 10' from the property line. Chairman Goode said he will defer to Mr. Fitzgerald on the drainage. Mr. Fitzgerald said that the concept is fine, but it needs to be engineered. Chairman Goode asked how long the court has been there. Ms. Krimko said that the court was constructed by the contractor without permits in August of 2014.

The Board discussed the fence options and what would provide a better buffer for sound from the basketball court. Ms. Wilensky said that neighbors' front yards face the court and landscaping could buffer the sound of the basketballs. Ms. Krimko asked if a solid fence would be better to soften the sound. Mr. Fitzgerald said that it might, but that the landscaping behind a solid fence would not get maintained. Mr. Siano noted that a solid fence may create an echo from the court. Mr. Van Wagner noted that the court could be moved to a conforming location and there would be no screening. Ms. Krimko agreed and added that there would be no drainage either, making this a better zoning alternative. The Board agreed that an open fence 6' high with landscaping 8' – 10' in height on the inside was the best option. There will be no lights or sound systems. Mr. Fitzgerald suggested making it a condition that there will be no play under artificial lights and Chairman Goode suggested no play after sun down. Ms. Krimko said that the applicant agrees.

Mr. Fitzgerald suggested not voting on the application until the drainage is worked out. Ms. Krimko asked if anyone from the Board had any objections to the application before they revise the plans. With no objections, Chairman Goode said that it is subject to the engineering being approved.

Ms. Krimko said that they will get the proper permits and have the sheds relocated.

Chairman Goode carried the application to May 14, 2015.

315 Roosevelt Ave, LLC
Block 17 Lot 34
315 Roosevelt Avenue
Oakhurst
Zone R-4

This is an application to construct a new single family residence, in-ground pool, hot tub and basketball court with variances for lot width under minimum, front yard setback under minimum, and fence height over maximum for a shed.

Attorney for the applicant: Jennifer S. Krimko, Esquire

Planning Administrator Marianne Wilensky marked the Board's information packet containing the reports of the Board's professionals as B-1. She read her report and Board Engineer William Fitzgerald summarized his report.

Attorney for the applicant, Jennifer S. Krimko, Esquire said that she believes all the variances with the exception of lot width are necessitated by Garfield Avenue which comes in perpendicular to the lot. She marked the following items into evidence:

- A-1 Plot/variance plan dated April 8, 2015
- A-2 Architectural plans dated November 10, 2014
- A-3 Photo packet of aerial images

Charles Surmonte, the engineer for the applicant, referred to a color rendering of the plot plan that was marked into evidence A-4. Mr. Surmonte described the site that presently includes a two-story dwelling. He explained that they are now proposing a home, porch and patio, pool, basketball court, and shed. He said that the driveway is 18' wide in the front of the house to allow cars to pass through if someone is parked at the front door. Ms. Krimko said that they want to have off street parking rather than park on Roosevelt Avenue.

Ms. Krimko said that the applicant is willing to remove the gate at Garfield Avenue and take the walkway off the plan. She said that the fence will be open with landscaping on the inside. Mr. Surmonte described the detention system between the pool and the basketball court. Ms. Krimko said that they will work with Mr. Fitzgerald on the drainage and will show the trees to be removed and planted on the plans.

Mr. Fitzgerald suggested locating the pool filter equipment at the western side of the shed. Mr. Surmonte said that that could work if the walkway is coming off the plan.

David Collins, the architect for the applicant, described the proposed home, referring to the architectural plans. The proposed single-family residence will have stucco and stack stone finish and will conform to the bulk requirements. The shed was to be used to store bicycles and lawn equipment. Mr. Collins said that they wanted the walkway to Garfield Avenue to ride bikes without having to go to Roosevelt Avenue. He said that they can relocate the shed closer to the pool and use it to screen the pool equipment. There is no garage proposed because the applicant did not want one. This will not be their primary residence. Mr. Surmonte said that they could park five cars on the driveway and still have comfortable circulation, but that they could fit a total of 10 or 11 cars that would not be able to move. Ms. Krimko said that the applicant's intention is to park 5 or 6 cars. She said that the site is intended purely as a single-family home.

Mr. Fitzgerald said that he is concerned with cars being parked overnight as it is not what you envision a residential neighborhood to look like. The Board discussed the parking, noting that Roosevelt Avenue is a busy street to park on. Mr. Schepiga said that he agrees with wanting to keep cars off Roosevelt Avenue. Mr. Collins said the driveway was not intended for valet parking. Ms. Krimko said that they originally proposed access to Garfield Avenue but changed that due to the suggestions of the Board's professionals.

Ms. Wilensky said that she is concerned with the architecture of the home, noting that there is not a lot of traditional architecture on Roosevelt Avenue. She said that it does not fit the neighborhood. Ms. Krimko said that she has an objection to that

concern as the house does not need any variance relief. She said that Ocean does not have architectural guidelines. Ms. Wilensky said that there have been cases in the past where the Board has been confronted with the issue of infill houses in an existing neighborhood. She said that's why the Board requires architectural plans. Chairman Goode asked Board Attorney Mark Steinberg and Ms. Wilensky to do research on this.

Mr. Collins said that having different styles of architecture can energize an area. Older homes will most likely change over time. He feels that the home is not so far different than what is there now. Mr. Menell asked about outside lighting. Mr. Collins said that there is no lighting in the back portion of the property. There will be no basketball after dark. Mr. Fitzgerald suggested that they check the lighting ordinance to make sure they conform to outdoor lighting requirements. Mr. Theodora asked how they can prevent people from parking on the grass. Ms. Wilensky said that parking on the grass is not permitted. Mr. Theodora suggested incorporating a vertical curb to prevent parking on the grass. Ms. Krimko said that they will look into that.

Mr. Fitzgerald said that a variance is required for change in grade of 2' or more or exposure of more than 3' of foundation. Mr. Fitzgerald suggested a technical review meeting with the applicant before the next meeting. Ms. Wilensky said that an escrow will have to be established. Ms. Krimko said that revisions may create new variances but that the notice covered any and all that may be necessary.

Chairman Goode carried this application to May 14, 2015.

Sarah Dorn

Block 140.10 Lot 2
315 Lakeview Avenue
Colonial Terrace
Zone R-4

This is an application to erect a second story addition with variances for side yard setback under minimum, total side yard setback under minimum and rear yard setback under minimum.

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 and Board Engineer William Fitzgerald PE said that he has no engineering concerns.

Sarah Dorn, the applicant, said that she would like to construct a second story addition. There is damage to the roof so they decided to do an addition because the family is growing. The siding will match the rest of the house, which consists of gray vinyl siding.

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

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

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

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

Deal Sephardic Youth Center, Inc.

Block 13 Lot 19
244 Norwood Avenue
Ocean
Zone C-1

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

Attorney for the applicant: Jennifer S. Krimko, Esquire

Vice Chairman Henry Schepiga disqualified himself on this application and left the meeting at 9:15 PM.

The Board's information packet containing the reports of the Board's professionals and in-house departments was marked as B-1. Board Planner James Higgins, PP read his report. Board Engineer William Fitzgerald PE summarized his report, noting that he does not want the previous approvals for the use of this site to be impacted by this application. He requested that the limits of this project be clearly delineated on revised plans.

Jennifer Krimko, the attorney for the applicant, said that the applicant can comply with everything in the professionals' reports and that revised plans will be submitted.

David Boesch, the engineer for the applicant, said that the proposed solid fence around the asphalt playground could get very hot, so Mr. Fitzgerald suggested a fence with a 1 ½" gap between boards to allow for air circulation.

The site plan revised through March 10, 2015 was marked into evidence as A-1.

Board Attorney Mark Steinberg explained that the previously granted D-1 variance is expanded by the addition of the playground. Sam Sitt, the executive director of the Deal Sephardic Youth Center explained that they wanted to add the playground to accommodate the youngest members, including 2-4 year old toddlers. Members wanted an outside venue for their children to play. Mr. Sitt said that they are not proposing to change the use of the facility at all. All access to the playground is from the inside for members only. Mr. Sitt explained that parking has not been an issue, with 20-30 cars parked at any time. He said that the programs are staggered throughout the day, when it is busy in the morning and evenings and slower during the afternoon.

Chairman Goode asked if there is an emergency exit from the playground. Ms. Krimko said that an emergency egress will be provided. Ms. Krimko also noted that they are adding more bike racks on the sidewalk.

Mr. Steinberg said that a violation notice was sent by the Code Enforcement Official to the owner of the property on April 15, 2015 for advertisement. Ms. Krimko said that she was unaware of this but that she would contact the owner to get it taken care of.

A motion to close the public hearing was made by Jane Grabelle and seconded by Eric Menell.

In Favor: Bonney, Grabelle, Menell, Siano, Van Wagner, Worrell, Goode
Opposed: None

A motion to approve the "d" variance for the expansion of the non-conforming use was made by Jane Grabelle and seconded by James Worrell.

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

A motion to approve the "c" variances use was made by Jane Grabell and seconded by James Worrell.

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

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

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

Meeting adjourned at 9:40 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary