

**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  
Russell Malta  
Eric Menell  
John Napolitani, Alt II  
Henry Schepiga, V Ch  
Peter Siano, Alt III  
Charles Theodora, Alt IV  
James Worrell  
Warren Goode, Chair

MEMBERS

ABSENT: Richard Van Wagner

OTHERS PRESENT

Mark A. Steinberg, Esq., Zoning Board Attorney  
William Fitzgerald, PE, Board Engineer  
Marianne Wilensky, PP, 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 June 30, 2015.

**REORGANIZATION**

Henry Schepiga nominated **Warren Goode as Chairman** from July 1, 2015, through June 30, 2016. Nomination was seconded by Jane Grabelle. There were no other nominations.

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

Warren Goode nominated **Henry Schepiga as Vice Chairman** from July 1, 2015, through June 30, 2016. Nomination was seconded by Jane Grabelle. There were no other nominations.

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

A motion to approve the meeting dates for the period running from July 1, 2015 through June 30, 2016 was made by Warren Goode and seconded by Henry Schepiga. The meeting dates were approved as follows:

July 9, 2015	January 14, 2016
August 20, 2015	February 25, 2016
September 10, 2015	March 10, 2016
October 8, 2015	April 14, 2016
November 12, 2015	May 12, 2016
December 10, 2015	June 9, 2016

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

A motion to appoint **Mark A. Steinberg, Esquire, as Board of Adjustment Attorney** for the period running July 1, 2015, through June 30, 2016, was made by Henry Schepiga and seconded by Jane Grabelle.

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

A motion to appoint **James Higgins as Board of Adjustment Planner** for the period running July 1, 2015, through June 30, 2016, was made by Henry Schepiga and seconded by Jane Grabelle.

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

A motion to appoint **William Fitzgerald as Board of Adjustment Engineer** for the period running July 1, 2015, through June 30, 2016, was made by Henry Schepiga and seconded by James Worrell.

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

A motion to appoint **Rachel Montemarano as Board of Adjustment Secretary** for the period running July 1, 2015, through June 30, 2016, was made by Warren Goode and seconded by James Worrell.

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

Board Attorney Mark Steinberg had Board professionals Marianne Wilensky, P.P. and William Fitzgerald, P.E. read an Oath of Allegiance and swore them in as Board Professionals for the upcoming year.

**CASES CARRIED to August 20, 2015**

**Deanna and Michael Houlihan**  
Block 40 Lot 61  
806 Maple Street  
West Deal

**Sandra Reeves**  
Block 76 lot 2  
491 S. Edgemere Drive  
West Allenhurst

**Gary and Suzanne Michel**  
Block 35.05 Lot 3  
20 Coventry Drive  
Wayside

**Arnie Bollhardt**  
Block 141 Lot 11  
920 Highway 35  
Ocean

**Dennis Tactaquin**  
Block 105 Lot 10  
1315 Birch Avenue  
Wanamassa

**CASE CARRIED to September 10, 2015**

**St. George Greek Orthodox Church**

Block 1.02 Lot 73  
1033 West Park Avenue  
Ocean

**RESOLUTION MEMORIALIZATIONS**

**Sam Mizrahi**

Block 58 Lot 11  
150 Monmouth Road  
Oakhurst  
Bulk Variance Approval

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

**David Azar**

Block 8 Lot 7  
333 Park Avenue  
Oakhurst  
Bulk Variance Approval

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

**315 Roosevelt Ave, LLC**

Block 17 Lot 34  
315 Roosevelt Avenue  
Oakhurst  
Bulk Variance Approval

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

**Sandra Birchler**

Block 123 Lot 49  
46 Ballard Drive  
Ocean  
Bulk Variance Approval

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

**Jack Aini**

Block 20.01 Lot 13  
128 Adams Avenue  
Oakhurst  
Bulk Variance Approval

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

**Myron & Elysee Rumeld**

Block 25.35 Lot 32  
7 Ross Court  
Ocean  
Bulk Variance Approval

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

**MINUTES FOR APPROVAL**

A motion was made by Henry Schepiga and seconded by Jane Grabelle to approve the **minutes from the meeting of June 3, 2015.**

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

### **CONTINUED CASE**

**Thomas Pinto**  
Block 134 Lot 1  
30 Ballard Drive  
Ocean  
Zone R-5

This is an application to change a roof line in order to allow additional second story living space with variances for front yard setback and rear yard setback under minimum.

Planning Administrator Marianne Wilensky briefed the Board on what occurred at the last hearing and said that the Board members had wanted to go see the property.

Chairman Goode said that he visited the property today and noted that the small piece of property is very built up and what is proposed could be imposing on the surrounding area. Mr. Pinto said that he would agree if he was expanding beyond the existing footprint, but he does not believe expanding what is already there will be intrusive. Vice Chairman Schepiga said that he now has less of a problem with what is proposed and thinks that it can work. Mr. Pinto said that the addition will be tied in with the existing home. Mr. Pinto said that he will hip the roof and add a small dormer to match the rest of the home per the Board Engineer's suggestion. Revised architectural plans will be submitted subject to Mr. Fitzgerald's approval.

Board Attorney Mark Steinberg noted the issue of the garage over the property line in a Township right-of-way, which Mr. Pinto said is a pre-existing condition. Mr. Fitzgerald guessed that at one time Oak Avenue was an alley that was widened to become a formal drive after the garage was built. Mr. Steinberg also noted that the porch is in the right-of-way and the Board discussed the option of relocating the porch. Chairman Goode said that they would not make him remove the porch, but that it should be noted in the resolution. Mr. Steinberg said that he will add that if the encroachment is ever destroyed, the applicant could not rebuild in the same location.

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

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

A motion to approve the application subject to Mr. Fitzgerald's review of revised architectural plans was made by Henry Schepiga and seconded by Russ Malta.

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

To be memorialized on July 15, 2015.

### **CARRIED CASE**

**Edward & Sharon Dayan**  
Block 14.01 Lot 8  
251 Wilson Avenue  
Ocean  
Zone R-4

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

Attorney for the applicant: Jeffrey A. Donner, Esquire

The Board's information packet containing the reports of the Board's professionals was marked B-1. Planning Administrator Marianne Wilensky read her report and referred to the Zoning Officer's report which indicates a shed constructed without permits. A permit has been received to move the shed to a conforming location. Board Engineer William Fitzgerald said that he has no engineering concerns with the application.

Attorney for the applicant, Jeffrey A. Donner, said that the shed will be moved to a conforming location. Mr. Donner submitted the following items into evidence:

- A-1 Photograph of the front of the home taken by Mr. Gohar. Mr. Donner indicated that the applicant is willing to put railings on the deck should they be required.
- A-2 Photograph of the front porch on the house next door, 234 Elberon Blvd., taken by Mr. Gohar.
- A-3 Photograph of the back of the home showing the existing deck taken by Mr. Gohar.
- A-4 Photograph of the side of the existing deck showing the height at 36" and the height that the deck will be reduced to at 27".
- A-5 Photograph of the rear of the house showing where an entryway was removed.

The applicant, Edward Dayan, said that the back deck is tree covered and very close to the house behind with little privacy. He said that they are proposing a raised patio in the front of the home for sun and easy access to the front door.

Ms. Wilensky said that the back deck was built without permits and, while it is conforming, the applicant is offering to reduce the size of the deck.

Mr. Donner said that if the variance for the front porch is granted, the applicant is willing to lower the rear deck to 27" should the Board wish. He said that the family is not enjoying the back deck and the front porch will give the family the quality of life that they are seeking.

Mr. Dayan said that there is no way to access a deck if one were to be built on the side of the house along Garfield Avenue as there is no existing doorway. A porch on the front of the house would easily be accessible from the front door. Mr. Dayan said that they bought the shed pre-constructed and are willing to move it to a conforming location. A planting plan is proposed in front of the proposed porch to insulate the deck and beautify the property.

Chairman Goode asked why there would be more privacy in the front of the house. Mr. Dayan said that there is a house right next to the back deck. It is quieter in the front and there is more sun. The proposed porch will be open and uncovered. Mr. Dayan said that the applicant is not planning on enclosing the porch.

Ms. Wilensky confirmed on the planting plan prepared by Mr. Dayan that from the ground to the top of the patio is 16" and the planting beds are 4' wide.

The planner for the applicant, Andrew Janiew, PP presented an exhibit with four photographs. One shows the applicant's home and the others show other homes with similar front porches. Mr. Janiew said that due to the orientation of the home and lot size, no matter how you build the porch you would need some setback relief. He said that this is an improvement to the home and will add to their outdoor enjoyment. He said that the location in the front is a greater distance to surrounding homes than in the rear and will not be a nuisance. He also said that this option does not require reconfiguration of the home in order to provide access. The porch will be 8'x20' and 16" high.

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

The Board agreed that the applicant does not have to reduce the height of the back porch, but that they must obtain permits and it must conform. The shed will be relocated to a conforming location.

A motion to approve the application was made by Henry Schepiga and seconded by James Worrell.

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

To be memorialized on July 15, 2015.

### **NEW CASE**

**Rahul and Deepali Shah**  
Block 153.05 Lot 12  
17 Shinnecock Hills Drive  
Wayside  
Zone R-3 Cluster

This is an application to construct one and two story additions with variances for rear yard setback.

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 said that he has no engineering concerns with the application, but noted the issue of runoff in this development. There is a 15' drainage easement so that any runoff should go west into the easement and head north to Maidenstone Drive. He said that the proposed additions will not impact properties to the west.

Don Passman, the architect for the project, and Rahul Shah, the applicant were sworn in. Mr. Shah said that he needs the addition in order to take care of his father who has a difficult time going up to the second floor. He wants to add a bedroom and full bath for him on the first floor. He is also proposing a sunroom for socializing and so that his father can sit in the sun without exposure to cold air. He also wants to create a larger bedroom and bathroom upstairs for his daughter.

The architectural plans dated March 11, 2015 consisting of 3 sheets were marked into evidence A-1. Mr. Passman referred to the plans to describe the proposed additions. He explained that the size and design of the additions, including a hip roof, minimize the impact and are sensitive to the setback in the rear. He said that the additions, including the sunroom, will match the rest of the home.

Keith Seager, 25 Maidenstone Drive, is the owner of the property behind Mr. Shah and expressed concern about drainage. He said that his property does get wet. Mr. Fitzgerald said that there is a drainage easement, but noted that there are two vinyl fences on each property, both of which got proper approvals. He said that the space between the fences must be maintained in order to let water through, noting that when he visited the site there were weeds that blocked his view. Mr. Fitzgerald said that there is approved grading for that development and it should work, but he does not know if other people have changed their grading that may affect it. He said that there will be no change to the existing drainage conditions due to the proposed additions.

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 Henry Schepiga and seconded by James Worrell.

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

To be memorialized on July 15, 2015.

Meeting adjourned at 9:10 P.M.

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Rachel Montemarano  
Board Secretary  
Recording Secretary