

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
James Worrell
Warren Goode, Chair

MEMBERS

ABSENT: Richard Van Wagner

OTHERS PRESENT

Mark A. Steinberg, Esq., Zoning Board Attorney
James Higgins, PP, Board Planner
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 August 25, 2015.

CASES CARRIED to November 24, 2015

Dennis Tactaquin

Block 105 Lot 10
1315 Birch Avenue
Wanamassa

Sandra Reeves

Block 76 lot 2
491 S. Edgemere Drive
West Allenhurst

**St. George Greek Orthodox
Church**

Block 1.02 Lot 73
1033 West Park Avenue
Ocean

Laurene Feeney

Block 118 Lot 7
1406 Unami Avenue
Wanamassa

Silmar Oliveira

Block 22 Lot 46
243 Overbrook Avenue
Oakhurst

CASE CARRIED to December 10, 2015

St. George Greek Orthodox Church

Block 1.02 Lot 73
1033 West Park Avenue
Ocean

RESOLUTION MEMORIALIZATIONS

Stefanie and Warren Towns

Block 25.09 Lot 1
181 Chatham Avenue
Oakhurst
Bulk Variance Approval

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

Gregory and Vivian Frasca

Block 37.06 Lot 17
12 Oxford Way
Wayside
Bulk Variance Approval

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

Joan Bennett

Block 25.15 Lot 16
443 Harnell Avenue
Oakhurst
Bulk Variance Approval

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

Selma, LLC

Block 34 Lot 14
1710 Highway 35
Oakhurst
Bulk Variance Approval

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

CONTINUED CASE

Arnie Bollhardt

Block 141 Lot 11
920 Highway 35
Ocean
Zone C-4

This is an application to change a condition of an approval granted May 22, 1997 and for minor site plan approval.

Attorney for the applicant: Peter S. Falvo, Jr., Esquire

Mr. Falvo said that he submitted items to Board Attorney Mark Steinberg to clear up the issue regarding the merging of the two properties. He said that he has concluded that there was no merger. Mr. Steinberg explained that according to the records, the properties were at one time merged, but then subdivided by deed. According to the Municipal Land Use Law, the municipality only has a period of two years to object, which has already passed, therefore the two properties are considered separate entities. Mr. Falvo submitted the history search of the properties in a letter dated October 13, 2015 to Mr. Steinberg including two searches performed by Coastal Title Agency that was marked into evidence as A-1.

Site Plans dated June 30, 2015 revised through August 25, 2015 were marked into evidence A-2. Dave Boesch of Nelson Engineering was sworn in as the project manager for the applicant. Mr. Boesch described improvements to the property that have already been made or are proposed including additional landscaping and irrigation system, lighting upgrades and the repaving and restriping of the parking lot. There are 28 9' wide hairpin spaces and the handicap spaces will be restriped in accordance with present ADA requirements. The dumpster enclosure has been moved to a notch in the western side of the building, which requires approval of the Fire Marshall. The building will be painted burgundy and beige.

Board Engineer William Fitzgerald noted that the 9' wide spaces require a variance and asked if that is being requested as part of the application. Mr. Fitzgerald asked about the lighting improvements and discussed with Mr. Boesch that the lights are going to be redirected downward.

Chairman Goode opened the hearing to the public for questioning of Mr. Boesch's testimony.

Paul Mayerowitz, 117 Cedar Village Blvd., asked what the distance from the front property line to the front of the store and if there would be a buffer. Mr. Boesch said that the setback of the building is 54' from the property line. There is a 5' landscape strip

between the parking spaces and the highway. Mr. Mayerowitz asked if there are any proposals to change the glass windows in the front of the building. Mr. Boesch said that he not aware of any changes to the architectural features. Mr. Mayerowitz asked if there are any restrictions on the applicant in the lease. Mr. Boesch said not that he is aware of any.

Don Clare, 1111 Logan Road, asked how far away the closest residence is located. Mr. Boesch said that residential areas are to the east, whereas this property is located on the west side of Highway 35. Mr. Clare asked about the proposed lighting improvements, to which Mr. Boesch described the combination of new and old lights that are being added or repaired. He said that they are LED fixtures. Mr. Clare asked if a photometric plan was submitted. Mr. Boesch referred to the site plans marked A-2 which contain that information. Mr. Clare said that reflection is a major issue and asked if the lights will be on timers. Mr. Boesch said that the light fixtures will be downward focused to reduce the glare to surrounding areas. Mr. Boesch said that timers could be added.

Gerrilynn NoBoa, 2 Cheryl Drive, asked for clarification on the location of the dumpster and the impact on landscaping with the loss of parking spaces. Mr. Boesch explained that the dumpster enclosure is required to be screened on three sides. Therefore, it was moved to the new location in order to not lose two parking spaces. He said that the third space that would be lost would be due to landscape screened area of the enclosure. Mr. Boesch said that it could still be possible to locate the dumpster in that area if they can establish a proper separation distance.

Board member John Napolitani said that Burke Construction is behind the property and asked if there were houses back there and if they would be impacted by the light fixtures. Mr. Boesch said that in addition to the 6' fence on the western property line, the downward facing light fixtures on a timer will have no impact on the properties to the west. Mr. Falvo noted that Burger King is immediately to the north with a number of pole mounted lights on site. Mr. Falvo said that no light spills off this property. He also added that the residential homes are nonconforming as they are in a commercial zone. He said that there appears to be a house behind the Lester Glenn dealership that appears to be a residence but he is not positive. He added that everyone who was required to be noticed, received notice.

Mr. Clare asked about light spillage to the properties to the west. Mr. Boesch again described the measures being taken to direct the light downward and the light candle measurements which has no interaction with the fence and vegetation along the property line. He said that without knowing where the structures are, he cannot tell whether they will be able to see the lights. Mr. Clare asked if the lights of the Burger King or Sea Coast Chevy dealership were considered. Mr. Boesch said no. Mr. Clare said that his main concern is light pollution.

Gino Dellomo, 45 Wickapecko Drive, asked about the parking arrangement of the two properties. Mr. Boesch said that they have already offered a cross access easement and Mr. Betesh has testified that he has adequate parking on his site. Mr. Fitzgerald said that if the Board were to approve a cross access easement, it allows for the possibility of shared parking, but this lot apparently has enough parking.

With no more questions for Mr. Boesch, Chairman Goode carried the application to November 24, 2015.

Board Planner James Higgins left the meeting at 8:25 PM.

John & Virginia Pulverenti
Block 140.01 Lot 3
210 Lakeview Avenue
Ocean
Zone R-4

This is an application to erect an open covered front porch with variances for front yard setback under minimum and lot coverage over maximum.

The Board's information packet was marked B-1. Planning Administrator Marianne Wilensky, PP read her report, also submitting an aerial image that was marked B-2. Board Engineer William Fitzgerald, PE referred to his report saying that he has no engineering concerns.

Virginia Pulverenti, the applicant, said that the existing porch needs to be replaced and they wanted to put a roof over it as she cannot be in the sun. Covering the porch would maximize their use of it. Ms. Wilensky clarified that the application is for a new porch with a cover. Mrs. Pulvirenti agreed and said that they are replacing the existing porch.

Don Passman, the architect for the applicant, said that the existing porch is unstable and needs to be replaced. The new porch will have virtually the same footprint and height. The roof is being added for shade and comfort. Mr. Passman said that he realized his calculations with regard to coverage were high. He submitted the architectural plans dated June 15, 2015 into evidence which was marked A-1. He revised the zoning chart and with his new calculations and said that less of a variance is required. The new calculations, undated were marked into evidence A-2. A photograph of the existing porch was marked into evidence A-3. A photograph of the home from Lakeview Avenue was marked into evidence A-4. A rendering of the proposed porch was marked into evidence A-5.

Mr. Passman said that he used creative techniques to design the covered porch on the ranch style home. The depth of the porch is proposed to be 7' 9" where 8' currently exists. A peak was added for visual interest. The shingles will match the home. Ms. Pulvirenti said that the roof is timberline and is fairly new from the previous owner.

Mr. Fitzgerald asked about the building coverage compared to surrounding properties. Mr. Passman said that it is probably a little more, but does not appear that way because it is a ranch style home. He said that he does not think people will notice the addition of the covered porch.

Ms. Wilensky expressed concern over the differing numbers. Board Attorney Mark Steinberg suggested the Board grant the 205 sq ft addition of building coverage, which is a 3% increase.

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 with the condition that plans with the new calculations will be submitted for review was made by Henry Schepiga and seconded by Jane Grabelle.

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

Stephanie Cesario
Block 120 Lot 14
1407 Camp Avenue
Ocean
Zone R-6

This is an application to keep a driveway with a variance for a side yard setback of 1' where 1' had existed and a minimum of 5' is required.

The Board's information packet was marked B-1. Planning Administrator Marianne Wilensky read her report, submitting an aerial photo that was marked B-2. Board Engineer William Fitzgerald referred to his report saying that he has no engineering concerns with the application.

Ms. Cesario said that she replaced the existing driveway in-kind in the same location. The original driveway was severely deteriorated. The driveway is concrete.

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

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 Jane Grabelle.

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

Meeting adjourned at 8:52 P.M.

Rachel Montemarano
Board Secretary
Recording Secretary