

Township of Ocean  
Zoning Board



February 15, 2024  
Minutes

**CAUCUS SESSION:**      TIME: 7:00 p.m.      Second Floor Conference Room  
Deal and Monmouth Roads  
Oakhurst

**REGUALR MEETING:**      TIME 7:30 p.m.      Public Meeting Room  
Deal and Monmouth Roads  
Oakhurst

**MEMBERS**      Shawanda Beale, Chair  
**PRESENT:**      Lisa Littman  
Victor Ashkenazi  
Jason Chmura  
Mark Leneski  
Chris Caramanica

**MEMBERS**      Gino Dellomo  
**ABSENT:**      Anthony DeGennaro.  
Anthony Pugielli  
John Fuller

**OTHERS**      Marc Leckstein, Esquire  
**PRESENT:**      Bennet Matlack, P.E.  
James Higgins, P.P.  
Colleen Mayer, Administrator  
Claire Vilanova, Secretary

## **SALUTE TO FLAG**

**CHAIRMAN'S STATEMENT:** Chairwoman Shawanda Beale 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, News 12, and the Coaster, posted in the Township Hall, and filed in the Office of the Township Clerk July 26, 2023.

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**CASES REQUESTING TO BE CARRIED** to March 21,2024, and **SEEKING NOT TO RE-NOTICE**, to be held in person in the Public Meeting Room, Municipal Building, Deal and Monmouth Roads, Oakhurst.

**Ocean Gas, LLC – (owner) IAAT Services LLC – (applicant)**  
Block 182, Lots 87 - 1418 Highway 35, Ocean

**Gallina, Antonio – (owner) IAAT Services LLC (applicant)**  
Block 34, Lot 12 - 1700 Highway 35, Ocean

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**RESOLUTION MEMORIALIZATION:**

**Appert, Timothy**  
Block 37, Lots 28  
13 Tilton Ave.  
Ocean  
Bulk Variance

MOVED: Chairwoman Beale SECOND: Ashkenazi  
FAVOR: Littman, Ashkenazi, Chmura, Lenesi, Beale  
OPPOSED: None  
INELIGIBLE: Caramanica  
ABSENT: Dellomo, DeGennaro, Pugielli

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**Bedford, Robert & Maryanne**  
Block 89 Lot 5  
15 No. Dittmar Dr.  
Ocean  
Bulk Variance

MOVED: Chairwoman Beale SECOND: Ashkenazi  
FAVOR: Littman, Ashkenazi, Chmura, Lenesi, Beale  
OPPOSED: None  
INELIGIBLE: Caramanica  
ABSENT: Dellomo, DeGennaro, Pugielli

**PUBLIC COMMENT:****Michael Gioseffi**

Block 159 Lot 43, 78 Cold Indian Spring Rd, Ocean

The applicant is sworn in. Chairwoman Beale states from the last meeting there were plans that needed to be submitted with the new coverage percent dedicating Cold Indian Springs Road to the town by deed. New plan was submitted Board Engineer Matlack explained a new Grading Plan was submitted with revised coverages and shows existing retaining wall that extended onto the neighboring property and it is being removed and requires regrading. An easement was requested for that grading. Plan marked A-1 into evidence. Board Attorney Leckstein stated the document provided from the applicant from the neighbor is not an easement. It was just granting permission, and if the Board approves the application, Mr. Gioseffi will need to file a recorded easement. He will need an Attorney, presumably, to get the neighbors to give you the Grading easement and be recorded with the County Clerk. A motion was made to close the public portion by Victor Ashkenazi and seconded by Lisa Littman.

In Favor: Littman, Ashkenazi, Chmura, Lenesi, Caramanica, Beale

Opposed: None

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**Alan Sasson**

Block 24 Lot 1, 300 Monmouth Rd., W. Deal 07723

Applicant is seeking to replace & enlarge an existing uncovered front porch. Uncovered front porch does not meet the required 50' front yard setback. Attorney Leckstein announces exhibits. Chairwoman Beale swears in

applicant and turns it over to the Board Planner & Board Engineer. Board Planner explains how 50' is required and needs explanation on expansion of front porch. Board Engineer states a Grading Plan should be submitted. Mr. Sasson states he would like to take existing porch and repair it with steps, and conform. He stated he needs another foot according to the Architect. Chairwoman Beale asked if any problem with providing a Grading Plan, and Mr. Sasson stated "no problem". No questions from Board Members or Public. Motion to close public hearing – Mr. Ashkenazie and 2<sup>nd</sup> by Ms. Littman. Positive Resolution offered by Mr. Chmura and 2<sup>nd</sup> by Mr. Caramanica. No one opposed

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**Maurice Srour**

Block 138 Lot 89, 801 Darlene Ave., Ocean 07712

Applicant is seeking Board Approval to change the grade more than 2' in connection with the construction of the inground pool. The original plan, which received both zoning & engineering approvals did not have a change in grade greater than 2'. The Board Attorney states the exhibits and reports. Chairwoman swears in applicant. Mr. Mancini introduces himself, states his credentials as he is with Tri-State Engineering and is sworn in. He is licensed Professional Engineer and Planner in NJ. The Board Planner states the only Variance they need is for the change in grade more than 2' and has already been constructed. Board Engineer stated he requested a variance plan that showed the preexisting contours relative the final product is going to look like that was provided. The only other comment that he had is that a drainage modification, the 100-year water surface elevation in the draining system might be surcharging out of one of the inlets on the property. Board Attorney stated to Mr. Mancini this is an Engineering issue. He stated he would address that issue in a Stormwater Management plan if approved. He also stated he was seeking a Variance for a block wall to help mitigate runoff and have it look aesthetically pleasing. Chairwoman Beale asked the Board Planner & Engineer if they had any concern on the seat wall to which they both responded "no". Board Member Chmura asked for an explanation how the drain system actually works. Resident Antonio Russo – 805 Darlene Ave – was sworn in. He stated the Pool was constructed inaccurately from what was approved. He stated the run off comes to his yard and floods. Numerous times he stated the pool was constructed too high and complained to the Township and the Township Engineer shut the project down. He had pictures which were taken into evidence. Resident Raymond Scollay – 1 Judith Ct – he stated he spoke with Pool Contractor

and asked why he was building so high. No other comments from Public. Motion to close Public comment made by Mr. Ashkenazie and seconded by Ms. Littman. Chairwoman asked for motion Positive or Negative. A motion to deny the application was made by Ms. Littman and was 2<sup>nd</sup> by Mr. Leneski. The application was denied by all.

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**Philip & Celia Cellar**

Block 26.08 Lot 15.09, 302 Crimson Cir., Ocean 07712

Applicant seeks approval to keep the existing pool patio / surround and stone areas that have been constructed within the side & rear yard setback in Violation of the original zoning approvals. Attorney for the applicant – Mr. Farber. He stated the Contractor overbuilt the Pool and did not believe there was a water overflow problem. Board Attorney Leckstein stated the exhibits & reports. Board Planner stated it's best to hear testimony from applicant as it appeared the Contractor tried to square everything off. Board Engineer stated previous approvals from Township Engineer, however, not inspected during the installation. Douglas Clelland was sworn in as a Licensed Professional Engineer. He gave description of what drainage system was installed. Grading Plan was submitted & was approved and would have resulted in a "jog" around the property, however, plan was not followed properly. The As-Built plan submitted was displayed on the easel meets the intent of the original design. Board Engineer said trench drain is being utilized correctly and did not exceed impervious coverage. The applicant, Philip Cellar, was sworn in and stated the construction was not done intentionally. It was an accident, and any and all mitigation will be taken care of. Chairwoman Beale called for a motion for positive resolution which Ms. Littman offered. Mr. Chmura seconded. Approved

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**Matthew & Gloria Ingber**

Block 9 Lot 46, 257 Dixon Ave., Elberon, 07740

The applicant seeks approval to construct an inground pool, cabana with covered patio, deck, wall / fence, masonry piers, as well as, the grade more than 2'. Attorney for applicant is Jennifer Krimko. Board Attorney Leckstein marked in exhibits and reports. Jason Fitcher was sworn in as a Licensed Engineer and Professional Planner. He stated this is a corner lot home and situated toward western property line. A wall is to be placed around patio – will act as a retaining wall. Stormwater management to be proposed similar

to drywell. Native planning bed to soften outdoor look of outdoor living space. Five adjacent street trees to remain. The change in grad more than 2' is not intended to create another height – working with existing grade. Fence & wall combination is 6'. The shed will be removed. The project creates an exceptional outdoor space. Home will be more valuable & create a desirable look in the neighborhood. The benefits outweigh the negative.

Resident Nancy Clark – 254 Howard Ave – had 2 concerns -the proximity to her house and the steep slope. The Cabana, shower, bathroom & pool equipment is 10' instead of 30'. Her family spends a lot of time outdoors and feels this will create a noise condition. She also has a critical concern with the significant slope from the neighbor's yard to hers. There is always runoff as there is clay soil and are concerned that even with proper drainage, there will be flooding. She is concerned her landscaping will be ruined.

Resident Chris Chambers – 247 Howard Ave – had questions about elevation. Would there be an option to scoop out dirt to put the pool down & put the pool level with the house? Applicant explained why grade change is dramatic on the southeast corner.

Resident Norm Ginsberg, 258 Howard Ave. is concerned about shed – it is being removed and felt the shed was a buffer when it rained. Will downspout pipe direct rain away from property? Attorney Leckstein interrupted the hearing to state the application was running into the 45-minute mark and not suggesting to stop, but there is no way they were are getting to next case, Synagogue, or 44 Monmouth Rd. so it was suggested to carry without any further notice.

Attorney Krimko suggested to carry to Feb. 29 to announce a special meeting date without having to re-notice. . Resident Norm Ginsberg, 258 Howard Ave. is concerned about shed – it is being removed and felt the shed was a buffer when it rained. Will downspout pipe direct rain away from property?

Resident Thomas Bain – 255 Howard Ave is concerned about steps on Wilson Ave – he was informed if this application was approved the steps will be removed. A motion to close the public portion was made by Board Member Ashkenazie and was seconded by Ms. Littman. A positive resolution was offered by Mr. Leneski and seconded by Mr. Caramanica. Chairwoman Beale adjourned the meeting and was seconded by Mr. Caramanica.