

ZONING BOARD OF ADJUSTMENT

MAY 26, 2015

PRESENT: Mr. Hutchinson, Mr. Fitzgerald, Ms. Casserly, Mr. Lisko, Mr. Ross, Mr. Cupoli and Mr. Greig

ABSENT: Ms. Young and Mr. Fowler

ALSO PRESENT: Board Attorney Kevin Kennedy, Esq., Board Secretary April Claudio, and Zoning Officer Ted Bianchi

The secretary stated that adequate notice of this meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on May 4, 2015 and by posting a copy of said notice at the Municipal Complex on the same date.

DONNA ROWE & JOHN FEDERICI – 323 13TH AVENUE

Mr. Lisko stepped down because he lives within 200 feet of this application. Appearing for this application was attorney William Shippers, architect Chris Rice, and engineer Ray Carpenter.

Mr. Rice stated this application is for a new two and a half story single-family home and garage. Variances are being requested for lot size for a corner lot, front yard setback on 13th Avenue and building coverage. The property currently has a one and a half story bungalow that is very old and a large garage. Several existing non-conformities would be eliminated and brought into compliance. The current structures on the lot violate the building coverage, however it is being reduced by 3%. The style of the proposed home is a seashore colonial that will fit in with the neighborhood. The proposed garage is 20 x 20 which is smaller than the previous garage. There is enough parking on site between the garage and driveway to accommodate four cars.

Mr. Carpenter stated the neighborhood primarily consists of single family homes. He stated the lot is very small which creates some issues. He feels they have done a very good job of building a modest house while reducing the already non-conforming building coverage. He feels the proposed house is architecturally pleasing. The existing curb cut will be shifted 1-2 feet to line up with the new garage however the width will not change.

Mr. Greig asked if permeable pavers could be used for the driveway and walkways. Mr. Rice stated he would need to consult his clients.

Mr. Cupoli asked if all utilities will be underground. Mr. Rice stated their intent is to do so if it is feasible. Mr. Cupoli asked about the location of the a/c units. He was concerned that they were very close to the neighbor. Mr. Rice stated they are in the best location and will be screened with landscaping.

Mr. Ross asked about the existing chain link fence. Mr. Rice stated that will be removed and replaced.

Ms. Casserly asked if this will be used as a primary residence. Mr. Rice replied yes.

Mr. Hutchinson asked if they would make every effort to minimize water runoff with either a drywell, rain garden or rain barrel. Mr. Rice stated they have a very high water table but will look into it.

Mr. Fitzgerald asked who is responsible for restoring the curb if the curb cut is moved. Mr. Bianchi stated it is the homeowner's responsibility. Mr. Fitzgerald asked if the attic could be converted to living space down the road or would it trigger any other variances. Mr. Rice stated the attic would be used for mainly the mechanicals and storage.

Public: William Garcia, 322 14th Avenue, asked if ingress to the garage will be on 13th. Mr. Rice stated it will be on C Street.

Board Comments

Mr. Greig stated it looks like an excellent project and a well-designed home.

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Mr. Cupoli stated it is a tremendous design and likes the proposed covered porch. The house will fit great in the neighborhood.

Mr. Ross asked about the height of the garage. Mr. Rice stated it would be 15 feet. Mr. Ross stated it is a very nice design and would be in favor of the application.

Ms. Casserly stated it is an excellent design.

Mr. Hutchinson agreed.

Mr. Fitzgerald stated it is a beautiful design.

Mr. Cupoli made a motion to approve the application, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Hutchinson, Fitzgerald, Casserly, Ross, Cupoli, and Greig

NAYS:

Mr. Lisko rejoined the Board.

RIVERWOOD HOLDINGS LLC – 405 14TH AVENUE

Appearing for this application was attorney Williams Shippers, property owner Guido Salandra and architect Brian Berzinskis.

Mr. Salandra clarified that Riverwood Holdings LLC was the previous property owner and he is the new, current property owner.

Mr. Shippers stated they are not asking for any variances above what already exists on the property. They are also requesting a use variance because it is a non-conforming use. The front structure was a 16 bedroom rooming house that they plan to convert to 3 apartments while keeping the existing rear units as is. He feels the rooming house has not been abandoned and the Board should consider their proposal and weigh it against what the property was used as and what it could be used as. He stated if the Board grants them approval they would abandon the rooming house use. He added there is one additional variance for an increase in building coverage.

Mr. Salandra explained the existing floor plans of the structures. He stated the town shutdown the rooming house in 2012 and boarded it up. It has sat abandoned since then. It is in need of repairs. There are two other rooming houses in the neighborhood. The front structure will be completely stripped down and the exterior will be completely new materials including new windows and siding. The first floor and second floor would be owner occupied and the third and fourth floors would be two separate units. The two rear structures will remain and be totally remodeled. The exterior materials of the rear structures will match the front. He feels his proposal would be a vast improvement.

Mr. Berzinskis explained the increase in the building coverage is due to the covered staircases on the front structure for each floor level. The total number of bedrooms in the front structure is being reduced to eight.

Mr. Shippers and Mr. Salandra stated they would work with the Borough engineer to mitigate storm water runoff and add landscaping.

Mr. Berzinskis stated they are proposing to add three parking spaces on the property above the four to five parking spaces available in the existing driveway.

Mr. Greig questioned Mr. Shiper's statement that the rooming house has been abandoned. Mr. Shippers referred to case law and municipal land use law. Mr. Kennedy stated he was advised that the town had taken proceedings to deem the rooming house license to be abandoned but doesn't have all of the information. Mr. Hutchinson and Mr. Fitzgerald stated they would like to know if rooming house is clearly abandoned or not.

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Mr. Shipers stated if the rooming house is abandoned then the property could be used as two rear rentals and a 16 bedroom front house brought up to minimal housing standards and used as group rentals.

Mr. Kennedy stated the Board could ask to see the documents the town has, if there are any, regarding the issue of the abandonment of the rooming house license.

Mr. Hutchinson stated he would not feel comfortable moving forward without knowing if the town has deemed the rooming house abandoned or not. He feels knowing this information will help him in making his decision. Mr. Lisko agreed. Mr. Cupoli and Mr. Greig also agreed.

Mr. Kennedy suggested that since the applicant's engineer isn't here tonight that they might not have finished their application this evening and could discuss coming back to another meeting.

At 9:45 took a recess so Mr. Shipers could consult with his client,

At 9:54 pm the board reconvened.

Mr. Shipers stated he and his client feel they don't have seven affirmative votes tonight. He would request a quick timeframe to obtain any documentation that the town may have. He asked if there is any documentation.

Ms. Claudio stated she believes there is documentation that was handled by the Business Administrator and Code Enforcement regarding a hearing to determine if the rooming house has been abandoned or not.

Mr. Lisko suggested carrying the application to June 25th. Mr. Shipers agreed to this date. Mr. Kennedy advised the public to return on this date as there will be no further noticing.

Ms. Casserly made a motion to adjourn this application to June 25th, which was seconded by Mr. Fitzgerald and approved unanimously.

Mr. Ross made a motion to adjourn the meeting, which was seconded by Mr. Cupoli and approved unanimously.