

ZONING BOARD OF ADJUSTMENT
FEBRUARY 25, 2016

PRESENT: Messrs. Ross, Fitzgerald, Lisko, Cupoli, Fowler, and Ms. Casserly and Ms. Young

ABSENT: Mr. Greig and Mr. Hutchinson

ALSO PRESENT: Board Attorney Kevin Kennedy, Esq. and Board Secretary April Claudio

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 December 18, 2015 and by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Cupoli made a motion to waive the reading and approve the minutes of the January 28, 2016 meeting, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Messrs. Ross, Fitzgerald, Lisko, Cupoli, Fowler, and Ms. Casserly

NAYS:

ABSTAIN: Ms. Young

Mr. Kennedy discussed some changes and clarifications to the Luckasavage resolution.

Mr. Fitzgerald made a motion to waive the reading and approve the resolution granting approvals to Mark Luckasavage, 310 10th Avenue, which was seconded by Mr. Fowler and approved by the following vote:

AYES: Messrs. Ross, Fitzgerald, Lisko, Cupoli, Fowler, and Ms. Casserly

NAYS:

ABSTAIN: Ms. Young

ANTHONY MARINO – 414 TH AVENUE

Appearing for this application was Michelle Struble of Pool and Spa Doctor. She was given consent by the property owner to appear on his behalf. She stated Mr. Marino lives at the site full time and it has a single family home. The proposal is to remove a portion of the driveway in front of the garage which has him over the allowable impervious coverage. This will allow the pool to be installed without going over the impervious coverage. There would be a fence across the yard at the end of the driveway which means there is no access from the driveway to the garage now. There is a rear utility pole that will be relocated. Will also remove some concrete at the back of the house. Also proposing a 15x15 paver patio next to the garage for a grill area.

Ms. Claudio explained Mr. Bianchi's concerns about removing the portion of the driveway in front of the garage because it could create a parking variance issue. He was also concerned about the use of the garage since it can no longer be used for vehicle storage.

The Board discussed how many parking spaces would be required and what would happen to the use of the garage if it's not for parking.

Ms. Struble and the Board agreed that the garage would now be considered an accessory structure to not be used for living space. Also discussed moving the fence 3 feet back to meet the 3 parking space requirement so no variance is needed. It was clarified that they would need 12 feet not 3 feet. Ms. Struble decided to request a parking variance for two spaces rather than changing the plans.

Mr. Fowler asked for the location of the pool equipment. Ms. Struble stated they would go behind the house. Mr. Fowler asked if there is heat or electric in the garage. Ms. Struble stated there is electric but no heat.

Mr. Lisko clarified that there was discussion that permeable pavers would be used. Ms. Struble confirmed. He advised her of the 50% credit for the pavers to the coverage. She did not count for that in her calculations, thus this would reduce the calculations she previously provided.

Ms. Casserly asked if any drainage improvements have to be made with the pool and new patio area. The answer was no. There was discussion about possibly installing a drywell.

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Public: Ed Windas, 412 7th Avenue, immediate neighbor to west, doesn't see any detriments and thinks it would be an improvement to the property.

Board Comments: Each member stated they would be inclined to vote in favor of the application.

Mr. Kennedy asked for clarification on the impervious coverage. Ms. Struble stated the existing is 51.74% and proposed is 49.99%. It was determined that a variance is no longer needed. The only variance is for parking and the clarification on the usage of the garage.

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

AYES: Messrs. Ross, Fitzgerald, Lisko, Cupoli, Fowler, and Ms. Casserly and Ms. Young

NAYS:

ABSTAIN:

EUGENE SOVA – 1402 B STREET

Mr. Sova stated there are two houses on the property, 1400 and 1402 B Street. He has owned the property since 1976. Unit 1400 has three bedrooms and one bathroom and is rented year round. Unit 1402 has four bedrooms and one bathroom and is not occupied in the winter. His proposal is to install heat at 1402 so it can be occupied year round. He also proposed moving the rear side door to the other side of the house but is unsure if that will happen; depends on the cost. He stated he is tired of doing summer rentals and wants a responsible year round tenant. He will honor his lease with summer tenants this year but would put heat in it as soon as they move out if approved.

Mr. Ross asked for clarification on the relocation of the door which Mr. Sova explained.

Ms. Casserly asked if there is a history of animal house issues. Mr. Sova stated he thinks there was three tickets over the past six years. Ms. Casserly asked about parking. Mr. Sova stated there is room for six cars.

Public: none

Board Comments: Mr. Ross stated he can appreciate what Mr. Sova is trying to do and doesn't see it as a burden.

Ms. Casserly, Mr. Fitzgerald, Ms. Young, Mr. Cupoli, Mr. Fowler and Mr. Lisko stated they would be inclined to vote in favor of the application.

Mr. Kennedy asked for clarification on the number of bedrooms. It was determined one bedroom would be removed.

Mr. Ross made a motion to approve the application, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Messrs. Ross, Fitzgerald, Lisko, Cupoli, Fowler; Ms. Casserly and Ms. Young

NAYS:

ABSTAIN:

At approximately 8:30 pm the Board took a brief recess. The Board reconvened at 8:36 pm. Mr. Fitzgerald had left the meeting.

ROBERT BRAND – 512 8TH AVENUE

Appearing for this application was Mr. Brand and his architect Paul Amelchenko. Mr. Brand stated he has owned the property for four years. There is a single family home at the site that he normally lives in but has not occupied since Hurricane Sandy. There was a lot of water damage in the basement and to the electric. When the power was turned off and shut back on it caused

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the heating system to distribute water throughout each room in the house. He has done a lot of clean up and repairs to the home. Has finally been approved for a grant to elevate the house.

Mr. Amelchenko submitted the average front yard setback certification which not only shows the property in line with other properties but that the front yard setback is conforming. The lot is non-conforming in size. Need a variance for one side yard setback and total side yard setback. Also need a variance for building coverage because of the decks that have to be added with the new elevation. Also need a variance for height of 37 feet. Will comply with the impervious coverage calculation and floor area ratio. Besides elevating the house they propose new decks and a small addition in the rear that would even the home out and a second floor addition to expand the existing second floor.

Mr. Fowler asked how many bathrooms are in the house. Mr. Brand stated there are two and they propose to add one more. Mr. Fowler asked about number of bedrooms. Mr. Brand stated there are three and that would not change. Mr. Fowler asked what the average height is. Mr. Brand stated the houses on each side of him would be higher than his.

Mr. Cupoli questioned the proposed height. Mr. Lisko pointed out that the height is measured from the base flood elevation and believes that the proposal is in compliance and does not need a variance.

Mr. Lisko asked if there is an attic. Mr. Brand replied no.

Mr. Brand stated he would like to add a 15x20 shed to the property similar to the one approved for his neighbor. Ms. Claudio explained that would change the impervious coverage and building coverage. Mr. Amelchenko stated he could present an amended plan at next month's meeting so the board could see the location of it. Mr. Kennedy wanted time to allow for the Zoning Officer Ted Bianchi to review it and determine if it creates a new variance. Mr. Brand stated he would like to proceed with the vote and hold off on the shed.

Public: none

Board Comments: Mr. Fowler stated he is in favor of the application. Mr. Cupoli stated it looks great and he would be in favor. Ms. Young stated she feels bad for what they've gone through and is glad they are willing to do this. Ms. Casserly stated she in favor and excited for them to move to the next step. Mr. Ross stated he is also in favor of the application. Mr. Lisko stated he would be in favor of the application.

Ms. Young made a motion to approve the application, which was seconded by Mr. Fowler and approved by the following vote:

AYES: Messrs. Ross, Lisko, Cupoli, Fowler; Ms. Casserly and Ms. Young

NAYS:

ABSTAIN:

Mr. Kennedy stated he prepared a resolution of approval in the event the application was approved and read it into the record.

Mr. Cupoli made a motion to approve the resolution, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Messrs. Ross, Lisko, Cupoli, Fowler; Ms. Casserly and Ms. Young

NAYS:

ABSTAIN:

Ms. Young made a motion to adjourn the meeting, which was seconded by Mr. Fowler