

ZONING BOARD OF ADJUSTMENT

June 22, 2017

PRESENT: John Hutchinson, Michelle Casserly, Mark Fitzgerald, Jonathan Lisko, Charles Ross, Philip Greig, and Manuel Fowler

ABSENT: Judy Young and Robert Cupoli

ALSO, PRESENT: Board Attorney Kevin Kennedy, Esq., Board Secretary April Claudio, and Zoning Official 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 November 18, 2016 and by posting a copy of said notice at the Municipal Complex on the same date.

Workshop Discussion: None

Mr. Hutchinson made a motion to waive the reading and approve the minutes of the May 23rd and May 25, 2017 meetings, which was seconded by Mr. Fitzgerald and approved by the following vote:

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, Mr. Lisko, and Mr. Ross

NAYS:

ABSTAIN: Mr. Fowler and Mr. Greig

Ms. Casserly made a motion to waive the reading and approve the resolution of JAG Properties LLC, 1405 Main Street, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, and Mr. Lisko

NAYS:

ABSTAIN: Mr. Fowler, Mr. Ross and Mr. Greig

Mr. Fitzgerald made a motion to waive the reading and approve the resolution of Walter & Betty Anne Suchowiecki, 1102 E Street, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, and Mr. Lisko

NAYS:

ABSTAIN: Mr. Fowler, Mr. Ross and Mr. Greig

Ms. Casserly made a motion to waive the reading and approve the resolution of Ronald and Sharon Van Saders, 903-A Ocean Avenue, which was seconded by Mr. Fowler and approved by the following vote:

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, Mr. Fowler, Mr. Ross, and Mr. Lisko

NAYS:

ABSTAIN: Mr. Greig

Mr. Fowler made a motion to waive the reading and approve the resolution of Anthony Scianni, 220 15th Avenue, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, Mr. Fowler, Mr. Ross, and Mr. Lisko

NAYS:

ABSTAIN: Mr. Greig

The resolution for Joseph Horn, 703 B Street, was carried until the next meeting to allow for further review.

ZONING BOARD OF ADJUSTMENT

June 22, 2017

GEORGE & NANCY OLIVER – 1901 SURF AVENUE

Mr. Fitzgerald stepped down because he lives within 200 ft. of the application. Appearing for this application was attorney Charles Shaw, Mr. Oliver and his architect Marc Nemergut.

Mr. Shaw stated their proposal is to build a new single-family home. Mr. Oliver stated he has owned the property for 20 years. The property is used as their summer residence. The existing house is over 70 years old and had some damage from Hurricane Sandy. The existing house is five bedrooms and one bathroom. The new home would have four bedrooms and three bathrooms. The existing garage would remain because it is in good condition.

Mr. Nemergut explained there would need to be too much work done to renovate the house to bring it up to code so he designed a new home. He presented a picture of the existing house and a picture of what the proposed house would look like. Variances are for front yard setback, side yard setback, building coverage, and rear yard setback for the existing garage. For front yard setback, 5.6 feet exists, 20 feet is required, the average setback is 18 feet, and proposed is 18.75 feet. The side yard setback variance is for a short section of 4 ½ feet of wall that it is at 4.2 feet. Also, need a variance for the distance of 9.4 feet between the garage and the house which is supposed to be 10 feet. The existing concrete driveway will be redone with permeable pavers. Building coverage is, 38% existing, 30% allowed, and proposing 42.9%. The existing garage makes up about 8% of the building coverage.

Mr. Fowler asked if the garage is heated. Mr. Oliver replied no. Mr. Fowler asked if the utilities would be placed underground. Mr. Oliver stated he would like to put them underground. Mr. Fowler asked for the location of the a/c units. Mr. Nemergut stated they have a setback of 5.2 feet.

Mr. Hutchinson asked what the purpose of the retaining wall is. Mr. Oliver stated the neighbor to the rear is about a foot higher than his property.

Public:

Grace Fitzgerald, 1902 Surf Avenue, stated Mr. and Mrs. Oliver are great neighbors. They've been through a lot in their neighborhood with Sandy and they are all still here. It's a great thing that they want to recommit to Belmar. It will be a beautiful addition to the neighborhood.

Board comments:

Mr. Fowler stated it touches his heart to hear people say they have lived in this town for so many years and want to stay. House looks comfortable and tasteful.

Mr. Greig stated it looks like a good project.

Mr. Ross stated the variance for the garage is minor and is in favor of the application.

Ms. Casserly stated she loves the rendering and is in favor of the application.

Mr. Hutchinson and Mr. Lisko stated they are both in favor of the application.

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

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Greig, Mr. Fowler, Mr. Ross, and Mr. Lisko

NAYS:

ABSTAIN:

Mr. Fitzgerald rejoined the Board.

At approximately, 7:59 p.m. the Board took a brief recess. At approximately 8:07 p.m. the Board reconvened. Roll call was taken. All of them were still present.

FRANK PINO & MICHELE MARS – 215 14TH AVENUE

Appearing for this application was Mr. Pino, Ms. Mars, attorney Leonard Kiczek, engineer Frank Baer, and architect Victor Malerba.

ZONING BOARD OF ADJUSTMENT

June 22, 2017

Mr. Pino stated he has owned the property for five months. There is an existing two-family home on the property. Unit A has 6 bedrooms and 2 bathrooms and Unit B has 7 bedrooms and 3 bathrooms. The plan is to modify the interior of the structure, no expansion of footprint. The house will be reduced to ten bedrooms. They will occupy one of the units and the other unit will be rented to family and friends. Will do complete interior renovation including plumbing, electric, HVAC, finishes, appliances, etc. Also, proposing a driveway with a garage that would give the property parking for two. There is an existing rear cottage that will be demolished. Proposing a deck in the rear. Proposed unit A would have 6 bedrooms and 3 bathrooms. Proposed Unit B would have 4 bedrooms and 2.5 bathrooms.

Mr. Malerba explained the variances being requested are for existing conditions. Variances being requested are for alteration of a non-conforming use, parking in the front yard, deck expansion, and side yard setback. He explained the interior layout and the exterior deck expansions.

Mr. Baer explained the proposed driveway and garage. They will consider drywells to see if it's viable. Removing the rear structure removes some other non-conforming issues. The uses of the homes in the neighborhood vary from single-family to multi-family.

Mr. Hutchinson asked Mr. Baer to explain the non-conformities that are being improved. He explained the variance chart on the cover page of the submitted plans.

Mr. Malerba added they are removing the two front doors and installing one door to give it the appearance of a single-family. There will be a foyer with interior access to each apartment.

Mr. Hutchinson asked about drainage. Mr. Baer stated there will be drainage in the form of a sump pump or French drain.

Mr. Bianchi added a variance is required for the garage because it is not setback 20 feet.

Mr. Fitzgerald asked why they didn't give up more bedrooms for more living space. Mr. Pino stated he has a lot of family that will be visiting. Mr. Fitzgerald was concerned about the impact on parking.

Mr. Ross clarified that one parking space would be removed from the street and two would be added to the property.

Mr. Malerba added that the bedrooms are not large.

Mr. Ross and Mr. Greig asked for more details on the garage and driveway. Mr. Baer explained.

Public: none

Board Comments:

Mr. Hutchinson stated the existing conditions, number of bedrooms and neighborhood are being improved. If the application was not approved, we would still have a big ugly animal house.

Ms. Casserly agreed. The benefits outweigh the detriments.

Mr. Fitzgerald was concerned about the number of bedrooms. Finds it curious that there are no neighbors present. Reducing the number of bedrooms and somewhat owner occupied is a positive.

Mr. Ross stated he is on the fence a little bit but leaning towards approving it because the alternative is that it stays the way it is.

Mr. Greig stated regardless of the number of bedrooms it's still three less than what is there now. He is in favor of the project.

Mr. Fowler stated these people made an investment in Belmar and took a property that is an animal house and has done his due diligence. Believes the cost of construction will be tremendous and doesn't see him or a new owner making it a future animal house. He is in favor of the application.

Mr. Lisko stated he struggles with the number of bedrooms but doesn't see how he can't vote in favor because of the amount of improvements to the home.

ZONING BOARD OF ADJUSTMENT

June 22, 2017

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

AYES: Mr. Hutchinson, Ms. Casserly, Mr. Fitzgerald, Mr. Fowler, Mr. Ross, Mr. Greig, and Mr. Lisko

NAYS:

ABSTAIN:

Ms. Claudio stated she received a request from an architect who asked for a special meeting for 1900 B Street because they did not want to wait until the August meeting. The board felt a special meeting was not required because there is no back log of applications and they are not waiting any longer than another applicant. The Board felt it would not be fair for them to pay to jump the line ahead of other applicants. Mr. Kennedy offered that he could have a resolution of approval prepared for the August meeting in the event the application is approved. This would mean no loss of time for the applicant. The Board felt it was not necessary to do so.

Ms. Claudio stated the Board had an application in 2015 for Krista Sperber, 512 ½ 8th Avenue. The application included construction of a 12x16 shed. Ms. Sperber has indicated that the plans she presented to the board were incorrect and it should have been a 16x16 shed. The Board decided that Ms. Sperber should submit a zoning application to Mr. Bianchi for him to review. He will determine if this change will create any additional variances or not.

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