

ZONING BOARD OF ADJUSTMENT

NOVEMBER 18, 2021

PRESENT: John Hutchinson, Phil Greig, Annemarie Drazenovich, John Lisko, Mike Melango, Bob Cupoli, Tom Palmisano and Michael Druz

ABSENT: Chuck Ross, Holly Deitz, and Mark Fitzgerald

ALSO, PRESENT: Board Attorney Kevin Kennedy, Zoning Official Ted Bianchi, 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 August 30, 2021 by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Melango made a motion to waive the reading and approve the minutes of the October 28, 2021 meeting, which was seconded by Mr. Greig and approved unanimously.

Mr. Cupoli made a motion to waive the reading and approve the resolution for Maria Lufrano, 101 15th Avenue, which was seconded by Mr. Greig and approved by the following vote:

AYES: Mr. Hutchinson, Mr. Greig, Ms. Drazenovich, Mr. Lisko, Mr. Melango, Mr. Cupoli Mr. Palmisano and Mr. Druz

NAYS:

Mr. Lisko made a motion to carry the application of William & Jodee Stapleton, 313 Third Avenue, to the January 27, 2022 meeting, which was seconded by Mr. Greig and approved unanimously.

ALLISON & WILLIAM RINGER – 402 14TH AVENUE

Appearing for this application was Mr. and Mrs. Ringer. Exhibits marked: A1 minor land use, A2 application, A3 survey, A4 floorplan. They have owned the property for about six years. The property has two separate structures, front and rear. The front structure is occupied by themselves. The rear structure is not occupied as it is being renovated. The rear structure has two bedrooms and one bathroom. It has water, gas and electric but no heat. They would like to add electric heat. There is no plan to rent the home. They both have large families and would like to have the home available for them when they visit.

Mr. Lisko questioned why the survey listed the structure as a shed. They were unaware why and the previous owner did not know why. Mr. Ringer stated it is a 425 square ft. structure with a kitchen, bedrooms and a bathroom.

Mr. Hutchinson asked for clarification on the renovations already done to the rear structure. Mr. Ringer stated they replaced the drywall, updated the plumbing, moved pipes inside so they don't freeze, updated the electric, brought framing up to code. There have been no changes to the exterior but plan to put on new siding.

Mr. Greig asked if the building has ever been rented. Mr. Ringer stated they have never rented it. Mrs. Ringer stated she was told that it was rented in the 1980s. Mr. Greig asked if the Board could require that it never be rented. Ms. Drazenovich wondered the same thing.

Ms. Drazenovich asked about parking. Mr. Ringer stated they can fit 2-3 cars on the property.

Mr. Melango asked if the fence in the backyard is going to be removed. Mr. Ringer replied no.

Mr. Kennedy stated the Board has approved applications with deed restrictions before where the applicants agree to only let friends and family use the additional structure. Mr. and Mrs. Ringer agreed to that stipulation.

Mr. Hutchinson stated he is not in favor of the deed restriction. He is in favor of having rear structures. He wouldn't want to restrict their use of it for the future.

ZONING BOARD OF ADJUSTMENT

NOVEMBER 18, 2021

Mr. Druz suggested if there is a deed restriction that it will apply to care givers. Mr. Kennedy stated they could be included in the deed restriction.

Mr. Greig asked if the structure could be rented since it hasn't been in a long time. Mr. Kennedy stated the rules for deeming a use abandoned. Mere nonuse is not cause for abandonment.

Mr. Hutchinson also added that abandoning the use of the rear structure could affect the property value which he would not recommend. Mr. Greig agreed. Ms. Drazenovich was the only Board member who stated their vote is contingent on the deed restriction.

Public: Linda Sharkus, 4th Avenue, agreed that it should be allowed to be rented however she was concerned that it has a substandard foundation and is a safety issue.

Mr. Hutchinson understood Ms. Sharkus's concern however they are currently working on renovating the home. It is a modest ask and he would be in favor of the application.

Mr. Greig stated we don't know the condition of the foundation and it's not the Board's job. He took back his comment about the deed restriction and would vote in favor of the application without it.

Ms. Drazenovich would vote in favor of the application with the deed restriction because there is not enough parking.

Mr. Melango would like to see the fence come down to allow for more parking. Can see the building is being fixed up to make it safe. He stated he would probably be in favor of the application.

Mr. Cupoli stated he doesn't want to see them give up their right and is in favor of the application.

Mr. Palmisano stated he is in favor of the application. Mr. Druz stated he is in favor of the application. Mr. Lisko stated he is in favor of the application with or without the condition.

Mr. Ringer stated it is not a hardship for them to have the deed restriction as there are no plans to sell the property. They want to pass it down to their kids in their wills.

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

AYES: Mr. Hutchinson, Mr. Greig, Ms. Drazenovich, Mr. Lisko, Mr. Melango, Mr. Cupoli Mr. Palmisano and Mr. Druz

NAYS:

SCOTT COLARUSSO – 900 13TH AVENUE

Appearing for this application was Mr. Colarusso, architect Michele Strassheim and his attorney John Haulenbeek. Mr. Haulenbeek submitted a new exhibit, architectural plans.

Ms. Drazenovich and Mr. Palmisano were not at the previous meeting and are not eligible to vote.

Mr. Haulenbeek stated the applicant previously testified about the use of the property and why he would like to add a second-floor deck. The Board requested more detailed drawings of what the deck is going to look like. Mr. Colarusso then obtained an architect.

Ms. Strassheim stated the applicant is requesting an 8x11 balcony on the rear second floor of the structure. The balcony is being carved out of the existing roof. The floor of the balcony will have a fiberglass finish and be pitched away from the dormer to address water runoff. There will be no impact on stormwater management. The existing windows in the dormer will be removed and new glass doors will be provided to the deck. The existing dormer itself will not be extend, just the roof cut away and the windows replaced with the door. A white vinyl code compliant railing and an exterior light fixture will be installed per code. While the proposed balcony is an

ZONING BOARD OF ADJUSTMENT

NOVEMBER 18, 2021

expansion of a nonconforming use it has no negative impact on the property, the neighborhood or the master plan. The positives outweigh the negatives.

Public: Linda Sharkus, 4th Avenue, owns the house behind Mr. Colarusso. She is in favor of the application and feels it will be a beautiful addition to the neighborhood.

The Board members stated they are in favor of the application and appreciated getting the architectural plans.

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

AYES: Mr. Hutchinson, Mr. Greig, Mr. Lisko, Mr. Melango, Mr. Cupoli and Mr. Druz

NAYS:

GENNARO & FILOMENA CONTELLA – 510 8TH AVENUE

Appearing for this application was Mr. and Mrs. Contella. Exhibits marked: A1 application, A2 minor land use, A3 plot plan.

Mr. Contella stated they have owned the property in 2007. The home was lost in superstorm sandy and was rebuilt in 2012. The site has a single-family home that they occupy. They would like to install an inground pool with a patio which exceeds the impervious lot coverage.

Mr. Hutchinson suggested using pervious pavers instead of concrete. Mr. Contella stated is a pricey option but has considered it. He would consider possibly using a little bit.

Ms. Drazenovich asked if they would consider installing a shade tree in the front yard or planting strip to help absorb the water. Mr. Contella would have to look into because the water meter sits in the curb. He did not object to it if it's feasible.

Mr. Cupoli stated he has concrete around his pool and now has to rip it up to replace the liner so he suggested pavers might be better. He asked where the equipment will be placed. Mr. Contella stated it will be in the southwest corner. Mr. Cupoli asked about the fence. Mr. Contella stated he will have to put up an additional fence to meet the code.

Public: none

Mr. Hutchinson stated it is a very reasonable ask. The rest of the Board stated they would be in favor of the application.

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

AYES: Mr. Hutchinson, Mr. Greig, Ms. Drazenovich, Mr. Lisko, Mr. Melango, Mr. Cupoli Mr. Palmisano and Mr. Druz

NAYS:

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