

A PUBLIC meeting of the Brick Township Board of Adjustment was held on Wednesday, **March 20, 2019** in the Municipal Building
401 Chambers Bridge Road.

The meeting was called to order at 7:00 PM.

Notice of a Public Meeting was read by Chairman Langer. He led the Salute to the flag and the roll was called.

MEMBERS PRESENT

Harvey Langer
David Chadwick
Dawn White
Carl Anderson
Michele Strassheim, Alt 1
Mike Jamnik

MEMBERS ABSENT

Frank Mizer
Louis Sorrentino

ALSO PRESENT

John Miller, Esq.
Brian Boccanfuso, PE
Christopher Romano, Zoning Officer
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

Chairman Langer called the meeting to order.
The Board Professionals were sworn

VOUCHERS

A motion to approve the vouchers was made by Mr. Chadwick and seconded by Mr. Jamnik

In favor: Mr. Chadwick, Ms. White, Mr. Jamnik, Mr. Anderson, Ms. Strassheim, Mr. Langer

OLD BUSINESS

**BA-3134—12/18- Joe & Donna Losito
59 A Topsail Road
Block 324.39, Lot 7
Bulk Variance**

A motion to approve the resolution was made by Mr. Chadwick and seconded by Mr. Jamnik

In favor: Mr. Chadwick, Ms. White, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-19-19 was adopted.

BA-3136-1/19 Samuel Sarpong
213 Cleveland Court
Block 1361.43, Lot 26
Bulk Variance

A motion to approve the resolution was made by Ms. Strassheim and seconded by Mr. Chadwick

In favor: Mr. Chadwick, Ms. White, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-17-19 was adopted.

BA-3129-10/18- Elizabeth G. Martin
351 Bay Lane
Block 44.12, Lot 26
Bulk Variance

A motion to approve the resolution was made by Ms. White and seconded by Mr. Chadwick

In favor: Mr. Chadwick, Ms. White, Mr. Anderson, Ms. Strassheim, Mr. Langer

The motion carried and Resolution R-18-19 was adopted

NEW BUSINESS

Chairman Langer announced that the following case will be carried to Wednesday, June 19, 2019.

BA-3015- Mar-T-Development
Block 190, Lot 18
Appeal

He stated this is the notice. There will be no further notice

Chairman Langer announced that the following case will be carried to Wednesday, May, 15, 2019.

BA-3124-Jill Kovalsky
371 Iroquois Drive
Block 891, Lot 3
Appeal

He stated this is the notice. There will be no further notice

BA-3131C-11/18 RTS IV, LLC
99 Oceanview Ave
Block 60, Lot 20
Bulk Variance

John J. Jackson, Esq. appeared on behalf of the applicant. He asked to have Exhibit A-1, Power Point Presentation, pages 1 to 22 marked.

Jeffrey Carr, PE, PP, Engineer and Planner were sworn. His credentials to testify as engineer and planner were accepted by the Chairman.

Michael Mellillo, Architect, was sworn. His credentials were accepted by the Chairman.

Mr. Carr gave an overview of the application. The property is located on the barrier island on the east side of Route 35 at 99 Ocean view Avenue. He said the applicant is seeking variance relief to construct a new 3 story, 7 bedroom, 4,381 SF single family residential dwelling. The property is 7,168 SF and is vacant.

Mr. Carr testified to the variances as follows:

Maximum lot area	7,500 SF permitted	7,168 SF proposed
Maximum Lot Depth	90 feet permitted	50 feet proposed
Minimum front yard setback	25 feet permitted	13.8 feet proposed
Minimum front yard setback	25 feet permitted	9.8 feet proposed

Mr. Carr testified the variances are diminimus and do not impact the neighborhood. The plan complies with the height requirements and the lot coverage requirements and will meet the requirements of the flood zone.

Mr. Boccanfuso noted there is another variance for the front yard setback for the staircase where 10 feet is permitted and 8 feet is provided. He said he is pleased the applicant is proposing curb and sidewalk.

Mr. Carr testified they will request that variance as well and It flows with the design of the house.

Mr. Carr testified they will comply with the Permit by rule requirement or permit by certification as needed.

He testified the fencing will remain as shown on the plan.

Mr. Mellillo, architect was called to testify. He stated the house will be designed for the AE-8 FEMA flood zone

He stated The retaining wall will not affect the existing wall.

Mr. Mellillo the architectural elements. He stated the entrance is on the South side with a porch wrapping around. There will be gables and upper story decks. They will take advantage of the beach views with an open plan. They will comply with the RSIS standards. Three parking spaces are to be provided.

Chairman Langer opened the hearing to the public.

Louis West, 98 Ocean view, was sworn.

He asked how many stories the house is and noted the CME report asked if it was a 2 ½ or 3 story house.

Mr. Mellillo testified there is habitable attic and it is considered 2 ½ stories.

Mr. Mellillo stated there is no height variance required and the house is 38 feet, 6 inches high.

He asked questions about the easement.

Alice Insler, 225 Dune Avenue was sworn.

She asked about the stability of the retaining wall and who would be responsible for repair should there be damage to her wall. Mr. Mellillo responded that it should be far enough away from the wall to be affected by heavy equipment.

Ms. Insler asked where the AC units would be located and Mr. Mellillo noted they would be on the north side yard. She said she did not want to hear the units form her porch. She asked where the roof drains will run to and Mr. Mellillo said they are not planning subsurface drains. The outdoor shower will go to the inside sewer.

Jim Reichek, 224 Dune Ave was sworn. He asked which is the front or side of the house. Mr. Carr responded that the house would appear to have a double front. The front yard, side yard, and rear are all determined by ordinance. Christopher Romano described the definitions per ordinance.

Robert Meijer, 103 Ocean View, was sworn. He stated the construction of this house will affect his view and he object to overbuilding and thinks the proposed house could be more conforming.

Louis West, 98 Ocean View Road, asked if they considered moving the house further to the west.

Mr. Jackson asked Mr. West if he was granted a variance for his deck. He responded that he did.

Jim Reichek, 224 Dune Ave was sworn. He testified he thinks the 7 bedroom house is being squeezed in and he objects.

Seeing no other comments, Chairman Langer closed the public portion.

Mr. Jackson summarized his application.

Factual findings were presented by Mr. Chadwick. All of the members concurred with the findings.

A motion to approve was made by Mr. Jamnik and seconded by Ms. White.

In favor: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Anderson, Ms. Strassheim, Mr. Langer

Chairman Langer called for a brief recess at 8:53 and called the meeting back to order at 9:00 PM.

BA-3107- Christopher Kronenthal
59 B Topsail Road
Block 324.39, Lot 6
Bulk Variance

Christopher Kronenthal, applicant, was sworn. He testified he is seeking a variance to approve already constructed outside block bar with a grill on a paver patio with a bench and fire pit. He is under county appeal for construction violations.

Mr. Romano confirmed he needs a variance for a 15 foot rear yard setback for the counter and sitting wall, bench. Mr. Kronenthal is proposing a 7 foot set back.

There was a discussion about his lack of permits.

The Chairman called for public comment. Seeing none, he closed the public.

Factual findings were presented by Ms. White. All of the members concurred with the findings.

A motion to approve was made by Mr. Chadwick and seconded by Mr. Jamnik.

In favor: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Anderson, Ms. Strassheim, Mr. Langer

ADJOURNMENT

A motion to adjourn the meeting was made and all were in favor.

The meeting was adjourned at 9:41 PM.

Respectfully submitted by:
Judy Fox Nelson