

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Regular Meeting
February 21, 2008**

7:30 P.M.

STATEMENT: Pursuant to the provisions of the New Jersey, Open Public Meetings Act, sending copies of the notice of meeting properly provided adequate notice of the meeting to the Times-Beacon, the Asbury Park Press and the Atlantic City Press. Notice was posted on the bulletin board in the Administration Building.

The regular meeting of the Zoning Board of Adjustment was held on the above date and time. Chairman Dennis Tredy presided and called the meeting to order.

ROLL CALL

Members Present	Nick Bonamassa	Ron Bruno	Stanley Bystrek
	Edward Covitz	Anthony Mercuro	John Petrosilli
	Joe Lachawiec	Dennis Tredy	

Members Absent: Antonio DeAlmeida

Pledge of Allegiance

Administrative

Joseph Lachawiec made a motion to approve the January 17, 2008 Re-organization meeting minutes seconded by Tony Mercuro. Roll Call (Ayes) Lachawiec, Mercuro, Bonamassa, Bystrek, Covitz, Petrosilli, Lachawiec, Tredy

Edward Covitz made a motion to approve the January 17, meeting minutes seconded by John Petrosilli. Roll Call (Ayes) Covitz, Petrosilli, Bonamassa, Bystrek, Mercuro, Lachawiec, Tredy

Edward Covitz made a motion to approve the bills, seconded by Nick Bonamassa. Roll Call (Ayes) Covitz, Bonamassa, Bystrek, Covitz, Mercuro, Petrosilli, Lachawiec, Tredy

Chairman Tredy stated if there was anything in correspondence that you want to see go to the office.

Anthony Mercuro asked what the letter from Lacey Township was about.

Laurie Clune stated that it is a notice to neighboring municipalities of a new ordinance... Mr. Mercuro asked if when we make an ordinance change do we notice other towns also? Laurie stated yes.

BOARD COMMENTS:

Chairman Tredy reminded everyone of the members that whoever signed up for the class that the date is March 15th at 8:15 A.M.

Attorney Rumpf stated in answer to a board members question that you don't have to attend every year.

Chairman Tredy stated that even though you are not required, if you do have the time to go, it is quite beneficial.

Tony Mercurio asked what they could do to somehow help Laurie to get their packages earlier. He stated that it is difficult to review properly if they don't have enough time.

Discussion took place with other board members, Wayne McVicar and Laurie to try to iron out any problems. Laurie did state that this meeting was very overloaded because of everyone coming off of the holiday, and we had more than usual. Chairman Tredy asked if it looks like you aren't able to have the packets ready on time, is there something that could be eliminated. Mr. Petrosilli asked if we could push an application off to the next month if there are too many. Chairman Tredy said that Laurie manages the Agenda pretty well, because there are times when she has to have some things pushed off.

Chairman Tredy said that there has been a case in the past where an individual owned lots that were undersized and they should have been joined together at the tax office. It is not the tax office's fault. They don't know unless someone tells them. In this particular case the owner sold two undersized lots to two different people.

Attorney Rumpf stated that the copy of Lacey Township's ordinance before you, makes it a requirement that for any undersized lot applicants that they are required to provide information in the form of title binders which clearly traces the ownership of the property from the adoption of the ordinance that made the property nonconforming. Mr. Mercurio said that doesn't give you any information on the adjoining properties. Attorney Rumpf stated that is correct. Wayne McVicar said that there could be an affidavit of ownership that they sign stating that they have no issue with the adjoining lots. Chairman Tredy asked if that could be added onto the application or do we need an ordinance. Attorney Rumpf said that they could make it part of the checklist.

Resolution 02-08-BA
Zoning Board of Adjustment Attorney
Brian E. Rumpf, Esq.

Edward Covitz made a motion to accept and seconded by John Petrosilli. Roll Call (Ayes)
Covitz, Petrosilli, Bonamassa, Bystrek, Mercurio, Lachawiec, Tredy

Resolution 03-08.BA
Zoning Board of Adjustment Attorney
Remington, Vernick & Vena Engineers
Wayne McVicar, Engineer

Edward Covitz made a motion to accept and seconded by Anthony Mercurio. Roll Call (Ayes)
Covitz, Mercurio, Bonamassa, Bystrek, Petrosilli, Lachawiec, Tredy

Resolution 04-08-BA
Zoning Board of Adjustment Conflict Attorney
Benjamin Mabie III,, Esq.

John Petrosilli made a motion to accept and seconded by Edward Covitz. Roll Call (Ayes)
Petrosilli, Covitz, Bonamassa, Bystrek, Mercurio, Lachawiec, Tredy

Resolution 05-08-BA
Zoning Board of Adjustment Conflict Engineer
Polistina & Associates

Nick Bonamassa made a motion to accept and seconded by Joseph Lachawiec. Roll Call (Ayes)
Bonamassa, Lachawiec, Bystrek, Covitz, , Mercurio, Petrosilli, Tredy

Resolution 06-08-BA
Docket 18-07-BA
Richard Roytos/Theresa Gallagher
28 Capstan Road
Block 91, Lot 8
Bulk Variance

Edward Covitz, made a motion to accept and seconded by Joseph Lachawiec. Roll Call (Ayes)
Covitz, Lachawiec, Bonamassa, Bystrek, Mercurio, Petrosilli, Tredy

NEW BUSINESS

Docket 13.07.BA
Christopher Resko
18 Mizzen Way
Block 119, Lot 4.02
Bulk Variance

Christopher Resko was sworn in. Mr. Resko is a first time homebuyer and he unknowingly replaced the porch that was on the front of his house. Apparently it fell into the setbacks. He presented photos of his house Attorney Rumpf stated that the will be noted as Exhibits A-1, A-2, A-3, A-4, A-5 and A-6. Mr. Resko explained what each picture was.

Chairman Tredy asked if the pictures of the properties were in the front yard setback. Mr. Resko said that the one he was holding is not.

Chairman Tredy asked if he received a letter from Remington Vernick and Vena. He referred to a portion of the letter that referred to the old steps and platform that was not in good shape. Engineer McVicar went over the other items in his letter to Mr. Resko. According to the pictures

there are several neighbors are in the setback. His neighbors will not be adversely affected by his new deck. Engineer McVicar asked the board to look again at picture A-4 which is taken from the deck looking in both directions at the neighbors.

Mr. Resko received a notice that he was in violation, until that time he had no knowledge that he had done anything wrong. He immediately went to the zoning officer and asked what he should do, and that is why he is here.

OPEN TO PUBLIC

Seeing none

PUBLIC PORTION CLOSED

Anthony Mercurio made a motion to approve seconded by John Petrosilli. Roll Call (Ayes) Mercurio, Petrosilli, Bonamassa, Bruno, Bystrek, Covitz, Tredy.

Docket 04-06-BA
Convery Investments
Route 9 South
Block 47 Lot 3
Certification of Use

Stan Bystrek stepped down.

Attorney Rumpf summarized for the board that this case is on remand from Judge Grasso. The matter involved a decision by the board that would have required the applicant to obtain certain approvals from the town based upon the board's determination that there was a change in the use of the property from the prior owner to the current owner. Judge Grasso disagreed and essentially he overturned the decision but he did direct the applicant to come back before this board and he provided some instruction to board and the applicant in terms of his order. What we need to be considering here this evening. The enquiry essentially can be for this board taken from Judge Grasso's order and that is where does the preexisting use of the property continue today for the new applicant. The judge has suggested that we look at such things as changes in the buildings appearances, whether or not there is a necessary increase in parking. How many boats or vessels can be stored on the property at any one time. Those of issues which were not clear to the Judge after hearing the case and he has asked that the board and the applicant come together again at another meeting and try to finalize those issues. What Mr. Rumpf suggest to the board however is that there are certain other construction issues that the applicant also may or may not be confronted with respect to our own construction department. There may be no doubt that the Judge said that there is no change in the use from the prior owner to the new owner. In terms of what construction codes, the Department of Community Affairs mandates when any person or business within the township goes to obtain a certificate of occupancy those are issues beyond the jurisdiction of this board or scope of this board and are best handled by the Construction or Building Department of the Township of Ocean. The judges direction to us was to look to see if there are reasonable conditions which would reflect the historical use of the property as being both a property in which there were vessels being sold without distinction between new and used vessels and the Board can legitimately can inquire from the applicant what the scope of the operation may be. How much parking is considered to be needed, how

many vessels are going to be stored on the property. I don't think it would be beyond the realm of the board to ask inquiry to ask any other incidentals concerning the contemplated use of the property and how that might conform to prior use issues such as time of operation. In fact that is one thing we should comment on. When the applicant is finished making his summation to the board I am not sure whether or not he intends to provide any testimony, that the board would instruct me to prepare a resolution setting forth those conditions which are either agreed upon or in the board's judgment consistent with what predated this applicant on that property. And I know the board previously was given a copy the testimony that we had on Mr. Tart, the prior owner explaining what his operation was. Unfortunately, one of the exhibits was declared missing by the court a nice photo the size of a poster that somehow got mislaid when there was a change in court.

Mr. Papp, said that he has a copy of the photo that Mr. Rumpf was talking about. He does have a photocopy which was marked exhibit B.

Mr. Rumpf said that he had one other thing he wanted to acquaint the board with is that Mr. Papp on behalf of the applicant did correspond with my office and made a suggestion in terms of those items that perhaps the board and the applicant could agree upon. He made three suggestions being that his client would limit the number of boats to forty, parking to a maximum of 20 cars and would limit on the property to have one three free standing sign rotated as preexisting not to exceed six foot by eight foot dimension.

Mr. Papp said that they had submitted that and Judge Grasso felt it might be helpful to submit that to the board as a suggestion as a possible way of agreeing on this so I submitted that to Mr. Rumpf for the board's consideration. Specifically what the Judge had said or was incorporated in the order is the matter is before the board to consider if there is an increase required in off street parking, we don't believe that there will be. There have been no changes to the exterior of the building, the size and features of the building have not been changed. The hours of operation are normal business hours of operation I don't think that they are any different than anybody else's. No one is going to be buying boats in the middle of the night, there isn't going to be any noise. There will be no repairs in any off hours so as not to disturb anyone. It is not an intense sight; it is certainly less intense than most other sights along the highway corridor. I was a little surprised by the judge's requirement but we are trying to comply with what the judge suggested and that is why we are here.

Chairman Tredy thanked Mr. Papp.

Mr. Papp stated that he felt the judge was a little vague, that is why he had discussion with Attorney Rumpf to try to figure out what it was that the judge wanted. I think that the testimony was very clear, there have been no changes to the exterior of the building, and the only changes to the sight were clearing by the prior owner. Other than that there has been very little physical change to the exterior building and we certainly are not looking for any kind of extraordinary operating hours, it is a retail operation.

Mr. Mercurio asked if they didn't put stone down and extends it out more than it was originally. Mr. Papp said yes they did to improve the looks of the property and to stabilize the ground for cars and boats coming in and out.

Mr. Mercurio stated that the applicant avoided the DOT application to access the highway properly. Mr. Papp said how do we avoid the DOT application? It was not required that is not an avoidance. Mr. Papp said that he took offense to the statement that they avoided. Mr. Mercurio said that they said they wanted to make it more stable for old people and Mr. Papp said that he never said that. All he said was that putting down the stones 1) ascetically better, 2) safer (it doesn't have anything to do with age), 3) better ingress and egress for vehicles, 4) better storage for boats, 5) and protects the highway in that dirt is not tracked out onto the highway.

Chairman Tredy asked if they were submitting anything in reference to hours of operation. Mr. Papp said they will be the normal daytime hours of operation.

Mr. Mercurio said that he felt that the Chairman was asking because if you were operating after dark or dusk, there would be a requirement for site lighting.

Wayne McVicar said that there are lights on the property basically off to the right. They look like parking lot lights.

Attorney Rumpf swore in Richard Cotogno. Mr. Cotogno indicated that they would have no more than twenty parking spaces.

Chairman Tredy asked if they are proposing any handicapped parking. Mr. Cotogno said no they are not proposing any.

Mr. Papp said that the because of the decision they are not required to go for a site plan.

We feel we are in conformance with the testimony that was provided in the original hearing and we are saying that we volunteering to limit those numbers. There is no change in use if we abide by these limits. And as far as I can understand the judge's order that is what we have to do and we have done that.

Chairman Tredy said that there are still things we don't know such as how close to the highway are these boats going to be? Where are they going to be? There are things that we need to have somehow in testimony. If the sign is down now, you have to comply with the new ordinance.

Mr. Papp said that they have proposed to put the sign at the location that it was formerly at as shown in exhibit B. Mr. Mercurio said that our sign ordinance is 4' x 8', and he asked if they would comply with that. Mr. Papp said yes, and they would place it where the former sign was located.

Mr. Mercurio asked if there were going to be trailer storage. Mr. Papp said there might be an occasional trailer on the site. Wayne Mc Vicar said that looking at the property the absolute limit for the property would be 40 boats and 40 cars. They are proposing 40 boats and 20 cars.

Mr. Petrosilli asked what is the average size of the boats you would have. Mr. Cotogno said that the largest boat was 32', I am not anticipating putting anything larger because we are trying to sell trailerable boats, runabouts, pontoon boats. Maybe once in awhile he would get a 30 or 33' boat but the way the place is structured and the type of business down here they are basically looking for trailerable boat business. A lot of smaller boats are sold without trailers and people

decide to put them on trailers later. He also stated that there is a 50' buffer because of the wetlands from what he understands because there is a wet lands delineation on this property you can't build within 50'. Wayne McVicar asked if he had letter of interpretation from the state for this property in reference to wetlands. Mr. Papp said that Mr. Tart had obtained that. Mr. McVicar said he sees a wetlands delineation but he does not see a buffer. Mr. McVicar said it was for construction.

Mr. Lachawiec asked if the judge's order addressed ancillary uses along with the sale and storage of boats or was it limited. Mr. Rumpf said that there was some mention of repairs of vessels but it is limited repair. The prior owner indicated that he would only make such repairs that were necessary to get the boats ready to be consigned to the next owner. The applicant indicated likewise. Mr. Lachawiec stated his concern is changing of oil and he was worried about contamination. Mr. Papp said that he had to comply with all of the regulations.

Chairman Tredy said that you indicated that you would like to have 40- boats, where did you come up with that number. Mr. Papp said that is on the testimony of Mr. Tart that he had 40 boats on his site at one time. Chairman Tredy said that is not what was on his testimony according to the judge. According to the judge it said he may have had as many as 40 boats. That is not a very positive statement. The judge also indicated that he saw only 32 boats on the property on the picture. There is no evidence that there were ever anymore than 32. Mr. Papp disagrees with your interpretation as to what the judge says. Mr. Tart testified that he had up to 40 boats on the property during a given time. That is where the number comes from and we were talking about a limit. We proposed as a good faith proposal in accordance with testimony that was presented at that time that we would abide by those limits. My understanding of what the judges remand is here is that we are talking about outside limits. And we are willing to abide to what we believe to have been testified to and presented to the board at that time. If the board has some other thing that you think necessary. It can be a give and take, we have made a proposal, we have gotten nothing back in response. Mr. Papp sent this months ago, I thought that I would have gotten a response from this board to say, okay ahead of time that there could have been some negotiation that we could have come in here and we would have already gotten some response that this board had some consideration. The judge said, submit a proposal so that maybe this can be done amicably so that we don't end up back in court. In accordance with that in the spirit of compromise and disclosure I sent a proposal to Mr. Rumpf. I thought that Mr. Rumpf would present it to you and I would get a response. I have gotten no response. I thought we could come to a meeting of the minds and we could go forward.

Mr. Rumpf said that the board could not consider the proposal outside the applicant being here to present giving you the opportunity to be here to hear the deliberations. Once judge Grasso made the decision essentially it was not longer in litigation. He did not retain jurisdiction thereby not giving the right to have a meeting outside your presence to debate the issue without your involvement. Take a step back to page 26 of the transcript where we had Mr. Tart testifying in terms of the numbers of boats I don't think we ever had 40 somewhere in the low 30's.

Mr. Papp said that the judge said "up to 40". Mr. Tredy said "no he did not".

Attorney Rumpf said we seem to be at a little bit of an impasse perhaps due to as you suggested the vagueness in direction. We have exhibit B which is very difficult to decipher especially in its reduced format and we have a survey. Is there any mechanism by which your client can identify

precisely where in that survey the boats are going to go. Mr. Papp said that is what we were trying to do with your engineer and it seemed to be objectionable.

Chairman Tredy stated that they should bring in a survey showing where the boats are going to be and where the parking is. "You can draw it in pencil" That entrance way going onto Route 9 is pathetic.

Mr. Papp said that he didn't feel that was the issue and that is not why they were here. I believe what we are here on is paragraph six of the order which states (An increase in required off street parking, changes to the exterior, size, features of any building) that is what I think we are here for. It seems to me that you are looking for something in the nature of a site plan and the judge said we don't have to do that. I don't think that there is any reason to do that, we have made a proposal as to limits, we don't believe that there is any requirement for any increase in off street parking and we are saying that we will operate under normal business hours,

Chairman Tredy asked where in the testimony did Mr. Tart say how many cars would park there. Mr. Papp said he never did, we believe that is a reasonable number.

Chairman Tredy said as far as he is concerned there is no way that the property could have that many boats along with twenty cars.

Mr. Petrosilli asked if there was a lower number of boats and specify the parking spaces as a compromise along with a limit to the size of boats such as up to 30'. Can we look at size limitations, a lower number of boats and 20 parking spaces designated in a specific area?

Mr. Papp said he didn't believe there was any such requirement. Mr. Mercurio said no there isn't but as a board we are trying eliminate chaos and we are trying to make the site plan safe. Mr. Papp said exactly, you are trying to impose a site plan. Mr. Mercurio said no that is not so, a site plan has curbs, paving. All we are asking that you have row of bumpers in the back someplace with a sign that said parking, maybe with one of them with a blue handicapped sign I don't think that is asking too much. I don't think that the judge is giving you that much endorsement on your ideas to say that get what you want and the board will have to lay down, because I don't think we are ready to do that. We want to make sure that this site is safe and the gentleman can make money and be an operation that has some common sense to it.

Mr. Papp stated that he disagree with you as to what you think is the boards function at this point.

Chairman Tredy said that we can agree to disagree.

Mr. Bruno asked if there is anyone living there. Mr. Papp said that they are trying to resolve this so that it can get rented. He said the site has where Mr. Tart lived and had an office and a separate apartment. Mr. Bruno asked if there was a sidewalk going up to the house. Mr. Papp said he didn't think it was a relevant question. Mr. Bruno said how are people going to get through the boats safely.

Attorney Rumpf said that basically we are here to certify the continuation of use. And it seems that we are having difficulty in being able to certify the use. I would agree that there is only so

far that this board has been empowered by the courts order however on the same token when we are certifying the continuation of use we know the property has several different uses I don't think it is beyond the realm of the board to ask the applicant to clarify not only to what extent was that use meaning number of boats, number of cars but also where on the property was that use. We know where on the property the two apartments and business office was. We don't know based upon the testimony unless the board is satisfied that exhibit B points it out we don't really know where on the property the boats go and where the parking is designated. I think they are relevant and legitimate avenues of inquiry for the board and it can be easily solved as you begun with the engineer in looking at the survey which has been prepared when you took ownership of the property. That is the best way to get to the bottom of it if you will without using the word site plan, simply identify on a drawing of some sort. On the layout where you propose to have the parking and where you propose to have the boats in whatever number you propose. I think that will enable us to get to the bottom to what the judge has directed us to do.

Mr. Papp said they would submit on the survey some kind of designation as to where the boats would go. According to the testimony before where 36 boats were. Chairman Tredy said they were your client's boats not what was there before. Mr. Mercuro asked if the spaces for trailer would be included in those spaces. Mr. Cotogno said if the boat is on the trailer he would consider it one spot if the trailer is separate he would consider it two spaces.

Mr. Cotogno said that last year he had brought down over 30 some boats and they were in the range of 27' to 32' feet, and we had 35 boats there and maybe five or six cars. The 20 car issue is an extreme, but I want to be sure to have enough just in case.

Chairman Tredy said that they should come back with the drawing and Mr. Papp said they were willing to do that.

Chairman Tredy asked for a motion to carry over to next month.

Mr. Mercuro said that he still has some concerns about wetlands. Mr. McVicar asked if they could get a copy of the letter of delineation. Mr. Papp said Mr. Tart was the one who got it and he didn't want to promise something that he personally did not get it. Mr. Mercuro asked if Mr. McVicar could get a copy and he said he would try. Mr. Mercuro said that when a copy is received and there is a buffer they will have to take that into consideration when they draw their layout. Mr. McVicar said he would try to get the letter and he would provide copies to all parties.

Chairman Tredy asked for a motion to carry.

Joseph Lachaweic made a motion to carry and it was seconded by Ron Bruno. Roll Call (Ayes) Lachaweic, Bruno, Bonamassa, Covitz, Mercuro, Petrosilli, Tredy

Chairman Tredy asked if there was anyone in the audience for 31 Dock Avenue, because it wasn't going to be heard tonight. There were none present.

Docket No 03-07-Ba
James and Ruby McGeoch
31 Dock Avenue
Block 84, Lot 12.02

Chairman Tredy stated we need a motion to carry.

John Petrosilli made a motion to carry to March 20, 2008, seconded by Ron Bruno. Roll Call (Ayes) Petrosilli, Bruno, Bonamassa, Covitz, Mercurio, Lachaweic, Tredy

Abstain Bystrek

Docket 19-07-BA
Kevin & Doreen Boulianne
Docket No. 22-07-BA
Block 273 Lot 1.11

Chairman Tredy stated we need a motion to carry.

Edward Covitz made a motion to carry to March 20, 2008, seconded by John Petrosilli, Roll Call (Ayes) Covitz, Petrosilli, Bonamassa, Bruno, Bystrek, Mercurio, Tredy

Attorney Rumpf stated that Mr. Bonamassa is stepping down on any Greenbriar applications.

Docket No. 24-07.BA
Anthony Cahill & Lennar
129 Brigantine Blvd
Block 57.10, Lot 96

Jennifer Jack representing Anthony Cahill and Lennar. Mr. Cahill is under a temporary C.O. he actually closed in November and the deck that was built by Lennar actually is in the setback. We didn't realize that it was in the setback until we went to get the C.O. from the Township. The Township allowed us to close with the temporary C. O. until the board made a determination as to whether to allow the deck or require the builder to remove and rebuild the deck.

Robert Harrington was sworn in from East Coast Engineering. Ms. Jack presented photos of a conforming deck and the underneath portion that is within the setback. She presented Mr. Cahill's deck and the underneath portion. Exhibits A1 – A-4. Mr. Harrington gave an explanation as to how this particular deck came to be in the setback. Lennar changed the house plans in this particular area because the deck which is the norm didn't fit in the setbacks. What happened here was that the builders used the old plans not the revised plans. It was not planned to be this way it was a miscommunication. It was most certainly not intended. There is a photo A-5 showing the neighbor review.

Anthony Cahill was sworn in. Ms. Jack asked Mr. Cahill if any of his neighbors had complained about his deck. He stated no. Ms Jack asked if he felt if the deck encroached on anyone's view

in the back or side. Mr. Cahill stated no. Attorney Rumpf asked Mr. Cahill if he wanted the 10 foot deck and if he thought it added additional value to his home, he said yes

Chairman Tredy asked Mr. Cahill if Lennar was going to fix the crack in his patio. Ms. Jack said it was on the punch list.

Chairman Tredy stated that the meeting was open to the public for anyone to speak as to this case.

Seeing None

CLOSED TO THE PUBLIC

Ron Bruno made a motion to approve seconded by Joe Lachaweic. Roll Call (Ayes) Bruno, Lachaweic, Bystrek, Covitz, Mercuro, Petrosilli, Tredy.

Docket No. 22-07-BA
Stephen and Jamie Yuhas
29 Spring Lake Boulevard
Block 57.11 Lot 38
Bulk Variance

Mr. Yuhas representing himself was sworn in. He explained he bought the house, added a screen room and in 2006 and he wanted to put a Pergola and he went through the channels at Greenbriar. They assured him that he did not need to get a permit from the town. When he went to add to his patio and he spoke to the zoning office he was told that the Pergola was not conforming to the setback. He presented photos which were taken two weeks before tonight. Exhibits A-1 and A-2.

Mr. McVicar went over his letter with Mr. Cahill. Mr. Yuhas proposed to cut the concrete around the footing so that we could fill the pavers around that. There is no impact on my neighbors. Mr. Yuhas explained how he was going to go about the pavers.

Chairman Tredy asked if there was anyone in the audience in reference to this case.

Seeing none

CLOSED TO THE PUBLIC

Anthony Mercuro made a motion to approve seconded by Ron Bruno. Roll Call (Ayes) Mercuro, Bruno, Bystrek, Covitz, Lachaweic, Tredy.

No - John Petrosilli

Docket No. 17-07-BA
Richard and Joyce Orosz
36 Pancoast Road
Block 56.10 Lot 258
Bulk Variance

Richard Orosz and Joyce Orosz were sworn in. Mr. Orosz stated that he was here to ask to keep the patio that they already have. When I put the wall in I didn't understand where the 12" is measured from. He presented photos to the board. Exhibit A-1 showed where the wall was non conforming. The reason for the wall was for aesthetic, safety factor and a sitting bench. There is no neighbor objecting to this.

Chairman Tredy asked if there was anyone in the audience in reference to this case.

Seeing None

CLOSED TO THE PUBLIC

Anthony Mercurio made a motion to approve seconded by Ron Bruno. Roll Call (Ayes)
Mercurio, Bruno, Bystrek, Covitz, Lachaweic, Tredy

Abstain – John Petrosilli

Docket 21-07-BA
Lawrence & Gladys Crawford
17 Bayview Drive
Block 239 Lot 26
Bulk Variance

Lawrence Crawford was sworn in. Mr. Crawford explained that he is asking for a variance for a set back to put an accessory building on his property. The reason they are asking for this is that they have a boat ramp on his property and if he was to move it over he would loose the boat ramp. He presented pictures which became Exhibits A-1 thru A-14 which he explained what they were, some of them were neighbors that have similar garages. He explained that if he moved the garage so that he wouldn't need a variance he would also loose the view of the windows to the lagoon. He felt strongly that the garage would best be at the left corner of his property.

Chairman Tredy asked if there was anyone in the audience in reference to this case.

Maria Bowblis was sworn in and testified that she was not in objection to this garage but she is a little concerned about the closeness to the property line.

Chris West was sworn in and testified that he has no objection to this garage.

CLOSED TO THE PUBLIC

Chairman Tredy explained that a variance is granted when there is a hardship and you have other legitimate objects.

Stanley Bystrek made a motion to deny the application and it was seconded by Anthony Mercurio. Roll Call (Ayes) Bystrek, Mercurio, Bonamassa, Bruno, Covitz, Petrosilli, Tredy.

Adjourned at 11:07 P.M.

*Respectfully Submitted by
Laurie F. Clune*