

**TOWNSHIP OF OCEAN  
Zoning Board of Adjustment  
Regular Meeting  
November 17, 2008**

**7:32 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-Beach, the Asbury Park Press and the Atlantic City Press. Notice was posted on the bulleting 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	Tony Mercurio	John Petrosilli
	Antonio DeAlmeida	Dennis Tredy	

Members Absent: Joe Lachaweic

Pledge of Allegiance

Let the record show that Joseph Lachaweic arrived

Administrative

Chairman Tredy stated that in the packets the minutes from the October meeting were in the packets and asked for a motion to approve the minutes.

John Petrosilli made a motion to approve the minutes and it was seconded by Ron Bruno. Roll Call (Ayes) Petrosilli, Bruno, Bonamassa, Bystrek, Covitz, Lachaweic, DeAlmeida, Tredy

Abstain: Tony Mercurio

Chairman Tredy asked for a motion to approve the bills that were in the packets.

Nick Bonamassa made a motion to approve payment and it was seconded by Tony Mercurio. Roll Call (Ayes) Bonamassa, Mercurio, Bruno, Bystrek, Covitz, Petrosilli, Lachaweic, DeAlmedia, Tredy

Chairman Tredy said that there was a short correspondence list if there is anything that you would like to review it is in office.

OLD BUSINESS:

Resolution 26-08-BA  
Docket 10-08-BA  
Vincent & Madeline Capozzoli  
201 Brigantine Blvd  
Block 57.10, Lot 60  
Bulk Variance

Chairman Tredy asked for a motion to approve the resolution.

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

NEW BUSINESS

Docket 13.08.BA  
Pamela Dauksis  
14 Vessel Road  
Block 170, Lot 3  
Bulk Variance

John Petrosilli stepped down because he was on the 200' list.

Attorney Lawrence McIver representing the applicant introduced himself. He stated that they were proposing to rebuild an existing single family dwelling and add attached garage. There is a detached garage and that will be removed. We need a variance on the north side because 10 feet is required and we only have 6 feet. Mr. McVicar in his review letter mentioned a possible variance on the south side because of an overhanging and the plans have been amended to meet that requirement so we will not need a variance for that.

Mr. McIver asked to have Mr. Barton, a professional planner give testimony and Mr. Grames who is the builder and Ms. Dauksis who will give a brief explanation as to why she wants this.

Chairman Tredy asked Mr. Barton to stand and be sworn in. Jeffrey Barton is a licensed architect and registered planner.

Mr. McIver asked Mr. Barton if he prepared the building plans for the subject property and if he reviewed the survey. Mr. Barton said yes to both questions.

Mr. Barton stated that the existing residence is a 1 and ½ story residence the proposal basically is to expand the footprint in order to accommodate the needs of his client and more importantly a detached garage will be demolished and a new attached one car garage with direct access from the garage to the residence is proposed. The setbacks for the front and right side and rear, coverage and height all will be in compliance and the reason we are here is for the left side yard setback.

Exhibits A-1 thru A-4 were explained by Mr. Barton. A-2 exhibit is the current condition. A-3 is the proposed and A-4 is the subject property and the adjoining properties.

Mr. McIver said then it is clear from Exhibit 4 that there are no structures directly opposite.

Mr. Barton said that is correct. A-3 shows the elevations of proposed structure.

Mr. McIver asked if with the removal of the detached garage and construction as you are planning it will the light and air flow be increased or improved.

Mr. Barton said that it would greatly enhance the view, light and air to those areas.

Mr. McIver asked if the proposed structure comparable with the existing structures in the area.

Mr. Barton said there are multiple styles in the area but the goal is to create a structure that will enhance the area and make it more aesthetically pleasing than what is there now.

Mr. Barton said seeking a variance for the side yard will in no way be a detriment to the neighborhood.

Mr. McVicar asked if the existing garage that is going to be removed sits back further than the proposed addition.

Mr. Barton said that as you can see on the site plan it shows that it is a one story garage and the variance situation is about 34.6 foot from front to rear of the side where we need a variance of 4 foot.

Mr. Mercurio asked if the roof design of the garage goes all of the way back. He said that he thinks the line on the plan is a mistake.

Mr. Barton said the overhang is not right so the drawing has to be revised.

Mr. David Granes, builder was sworn in.

Mr. McIver asked if he could answer Mr. Mercurio's question about the roof.

Mr. Granes said that Mr. Mercurio is correct. He looked at the same issues on the plan and the building is actually back further and the other issues are not going to be the way they are shown. The actual building will be revised so that the overhang will be correct and the roof issues brought up by Mr. Mercurio will be in accordance.

Mr. Granes said that the majority of the building will be new materials, electric, heating etc. will all be upgraded.

Pamela Dauksis was sworn in and she stated that she has owned the property at 14 Vessel Road for ten years and she presently lives there. She needs a bedroom on the first floor because this is her retirement house and she has a disabled brother and nephew who live with her periodically and cannot navigate the stairs. She also feels she probably would need a bedroom on the first floor as she ages.

Mr. McVicar asked her about the RV that is parked on her property. She stated that it is her brothers and it is only parked there when he visits her. He travels a lot and he also winters in Florida. Neighbors have never complained about the RV being there.

Ms. Dauksis stated that she had nine letters that were returned to her from the neighbors in the area who agree to support her in her renovations.

Mr. McIver asked to present the letters as Exhibit 5. Chairman Tredy stated that the board does not accept letters as evidence.

Chairman Tredy asked why she hasn't considered a complete tear down that would fit within the envelope.

Ms. Dauksis said that she is fond of the home the way it is and she likes the layout and it is very dear to her with many memories. She feels Mr. Granes can renovate this home and still preserve it and still upgrade it to codes.

#### OPEN TO PUBLIC

Spencer Hondros, 55 Pennsylvania Avenue, was sworn in. He stated that he is directly across the street and he feels it would be excellent for the area and it would be a boost for the area. He said that he understands about the sentimentality of the inside of the house.

Dorothy Schmidt, 16 Vessel Road, has lived on the property since 1972, in the condos which she had built. She too understands why Ms. Dauksis would like to preserve the interior of the home it is beautiful. She feels that what she is going to do would greatly enhance the street.

Chairman Tredy asked Engineer McVicar if everything was answered to his satisfaction and he responded yes it had.

Attorney Rumpf asked when in relation to the construction would the detached garage be taken down.

Mr. Granes said that it would be as soon as he starts excavations and demolition of the sunroom etc.

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Joseph Lachaweic made a motion to grant the variance, seconded by Nick Bonamassa.  
Roll Call (Ayes) Lachaweic, Bonamassa, Bruno, Bystrek, Covitz, Mercurio, DeAlmeida,  
Tredy

Docket 14.08.BA  
Richard & Loretta Fuentes  
118 Whippany Road  
Block 272 Lot 318  
Bulk Variance

Mr. Richard Fuentes was sworn in. He has a shed already erected on his property and after his conversations with Laurie Clune he was not supposed to have a shed. This was after the shed was already erected. So that is why he is applying for a variance.

Chairman Tredy said in other words the shed does not meet the standards.

Mr. Fuentes said that it is 2% more than the footprint.

Laurie stated that the shed did not require a building permit because it was 8 x 10. The confusion was that the applicant on his zoning application applied for a fence and a shed. I determined that there was a lot coverage issue and explained at that time and wrote on his application the fence was approved but the shed was denied. He was not aware that the shed was not approved, he assumed that everything was okay and he went ahead and put up the shed. She stated that it was put up in error.

Wayne McVicar asked if the applicant brought pictures.

Mr. Fuentes said no he did not.

Mr. Mercurio said that he obviously did not read the letter and maybe he is not prepared. Wayne sent you a letter and you were supposed to read the letter and comply to what was requested. Maybe we should wait a month until you can fulfill some of the request he made.

Chairman Tredy asked if Mr. Fuentes had a copy of the August 18<sup>th</sup> letter from Remington & Vernick in front of you.

Mr. Fuentes said yes he did.

Chairman Tredy said that he would like to suggest exactly what the Vice Chair stated and ask that you ask for this hearing to be carried until next month. Between now and next month go over this letter and try to comply with it and bring in as much as what is requested so that we can have a fair and honest hearing about this case of your shed.

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Mr. Fuentes said yes he is requesting that it be carried.

Tony Mercurio made a motion to carry this application until next month, seconded by Edward Covitz. Roll Call (Ayes) Mercurio, Covitz, Bonamassa, Bruno, Bystrek, Petrosilli, Tredy.

It was stated to Mr. Fuentes that if he had any questions please feel free to call and Wayne McVicar stated that he could call him also if he had any questions that he could help with.