

ZBA Meeting 5-17-2012

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Regular Meeting
May 17, 2012**

7:00 P.M.

PLEDGE OF ALLEGIENCE

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, 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 John Petrosilli called the meeting to order.

ROLL CALL

Members Present	Ron Bruno	Stanley Bystrek	Edward Covitz
	Robert Lange	Raymond Roskowski	Stan Anderson
	Albert Linck	John Petrosilli	

Absent: Tony DeAlmeida

Chair stated that there are two sets of minutes to be approved tonight. He asked if there were any corrections to the minutes, seeing none he asked for a motion for the minutes of February 16, 2012.

Ed Covitz made a motion to approve and Ron Bruno seconded it. Roll Call (Ayes) Covitz, Bruno, Bystrek, Roskowski, Anderson, Linck, Petrosilli

Chair asked if there were any corrections to the March 15th minutes, seeing none asked for a motion. Ed Covitz made a motion to approve and Bob Lange seconded it. Roll Call (Ayes) Covitz, Lange, Bruno, Bystrek, Roskowski, Anderson, Petrosilli.

Chair asked if he could have a motion to approve the vouchers.

Bob Lange made a motion to approve the bills and Ron Bruno seconded it. Roll Call (Ayes) Lange, Bruno, Bystrek, Covitz, Roskowski, Anderson, Petrosilli

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CORRESPONDENCE

Chair stated that he was in receipt of a letter from Richard Visotcky Esquire in reference to the Barry application stating that all of the easements and deed requirements have been met.

OLD BUSINESS

Letters were sent out to applicants that have had their applications in the office for quite some time.

Chair noted that there were some persons in the audience that have come in reference to these letters.

The Chair said that he would read the name and if the applicant is here please step forward. He asked that the applicant say briefly what the application is for and what their plans are for this particular application. The board will consider whether or not to carry this application or to dismiss without prejudice.

John Tesoriero – was not present

Attorney Rumpf explained that if there is a lack of interest on the part of the applicant In moving forward the Board has within its discretion the ability to make a motion to dismiss the application without prejudice. The affect of that is that the applicant thereby would loose any fees that they paid for the submittal of the application, however it is not the same as a judgment where we are denying it. If they wish in the future to bring the application forward again they would be permitted to do so.

Laurie stated that he did not pick up his certified mail. He did go through quite a bit of engineering review.

Bob Lange stated that he did not think that the board should keep any application for more than a year if there hasn't been any movement on it.

Motion was made by Bob Lange to dismiss without prejudice and Ed Covitz seconded it. Roll Call (Ayes) Lange, Covitz, Bruno, Bystrek, Roskowski, Anderson, Petrosilli.

Chairman asked if Manuel Pereira was in the audience. Mr. Pereira came forward and Attorney Rumpf swore him in.

Mr. Pereira stated that he applied for a variance in 2008 or 2009. In the last few years the last engineer did not stay to his schedule of his correction list. I gave him what he wanted and then he wanted more. There is a DEP Cafra permit on this property that he

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obtained prior to filing the application and he had a zoning permit prior to the ordinance changes in lot size. My DEP Cafra permit is in effect according to the permit extension act. It came to a point that Mr. McVicar decided to insist on a wetlands transitional waiver. He tried to address the issue. Chair asked what the application was for and Mr. Pereira stated that it was for a house. He didn't complete his application because of an issue with the board's engineer. Attorney Rumpf read the letter and said that Mr. Pereira did reference the letter correctly. Mr. Pereira said that he would like to move forward by making the changes stated in Mr. McVicar's letter and resubmit to the new engineer to see if he can move forward.

Laurie stated that our arrangement is that any old applications would stay with RV&V so that it would not cost the applicant any more money.

Mr. Periera stated that Mr. McVicar has stated that he was going to ask the board if they would accept the old plans just redlined with the changes.

Attorney Rumpf asked how long would it take Mr. Periera to reach out to Mr. McVicar. Mr. Lange said that he remembered that conversation, the board gave him time to work it out with Mr. McVicar.

Mr. Lange said that he felt that we should grant him 90 days to talk to Mr. McVicar and get the letter that the board is looking for and in fairness to everyone it shouldn't cost him anymore money.

Bob Lange made a motion to grant him the 90 days to carry so that he can talk to Mr. McVicar and get back to the board. Stan Anderson seconded the motion. Roll Call (Ayes) Lange, Anderson, Bruno, Bystrek, Covitz, Roskowski, Petrosilli

Chairman Petrosilli asked if there was a James Pecorora in the audience. Mr. Pecorara came forward and Attorney Rumpf swore him in.

Mr. Pecorora stated that his variance request was for an in ground pool. He has a summer home here in Waretown He stated that it is mostly his fault financially and he is a couple of hours away that I haven't got back to this. There were some issues with variances and paperwork that Laurie has been helping me with. He has brought his pool guy with him tonight and he is ready to go.

Attorney Rumpf explained that if he is ready to move forward, Laurie will contact the Board's engineer he would issue his completeness letter and it would possible for you to be here next month.

Laurie explained that he was up to notification so he will be required to get a new 200' list. That will probably take a couple of weeks.

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Bob Lange said lets give him 90 days and if he can get it done before that it is in his favor.

Chairman asked for a motion.

Ron Bruno made a motion to grant him 90 days and Ray Roskowski seconded the motion. Roll Call (Ayes) Bruno, Roskowski, Bystrek, Covitz, Lange, Petrosilli, Anderson.

Chairman asked if there was a Marie Mollica in the audience. She was not present

Chairman asked Laurie what the application was for. Laurie stated that it was a vacant piece of property on Pennsylvania. The board did dismiss this application once before and she reapplied in 2010 and now it is still incomplete.

Chairman asked for a motion.

Ray Roskowski made a motion to dismiss this application without prejudice. Bob Lange seconded the motion. Roll Call (Ayes) Roskowski, Lange, Bruno, Bystrek, Covitz, Anderson, Petrosilli.

BOARD COMMENTS

Mr. Covitz asked if the Chairman could give a synopsis of what we did tonight?

Chairman Petrosilli stated:

John Tesoriero was dismissed without prejudice
Manuel Pereira was carried for 90 days
James Pecoraro was carried for 90 days
Marie Mollica was dismissed without prejudice

Bob Lange asked if we could discuss making a policy that when they come in for their application Laurie can explain that if they are inactive for over a year it will be automatically at the next meeting.

Chairman asked Laurie could send a copy of her checklist to all of the board members.

OPEN TO PUBLIC

SEEING NONE

CLOSED TO PUBLIC

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Bob Lange made a motion to adjourn, Ed Covitz seconded and all were in favor.

Motion Adjourned at 7:45 P.M.

Respectfully Submitted by

Laurie F. Clune
Board Secretary
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