

ZBA Meeting 6-21-2012

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Regular Meeting
June 21, 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	Edward Covitz	Tony DeAlmeida
	Robert Lange	Raymond Roskowski	Stan Anderson
	Albert Linck	John Petrosilli	

Absent: Stanley Bystrek

Chair asked for a motion to take action on the minutes of the Regular meeting of May 17, 2012.

Edward Covitz made a motion to accept the minutes and Robert Lange seconded it. Roll Call (Ayes) Covitz, Lange, Bruno, Roskowski, Anderson, Linck, Petrosilli

Chair stated that we have no bills.

BOARD COMMENTS:

Chair stated that he did receive the checklist for the application.

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OLD BUSINESS

Resolution No. 12.11.BA
Docket # 15.08.BA
Marie Mollica
72 Pennsylvania Avenue
Block 191, Lot 8 & 9

Dismissal of Docket # 15.08.BA.

Edward Covitz made a motion to accept the Resolution, Ron Bruno seconded it. Roll Call (Ayes) Covitz, Bruno, Lange, Roskowski, Anderson, Petrosilli

Resolution No. 12.12.BA
Docket # 12.2012.BA
John Tesoriero
1 Jolly Roger Way
Block 151 Lot 1

Dismissal of Docket #12.2010.BA

Edward Covitz made a motion to accept the Resolution, Robert Lange seconded it. Roll Call (Ayes) Covitz, Lange, Bruno, Roskowski, Anderson, Petrosilli

NEW BUSINESS

Chair stated he was going to change the format of the agenda.

Chair asked Glen Taylor to come forward. Attorney Rumpf stated that he reviewed the notice that was published in the paper. He stated that he is aware that his application is complex. His concern with the notice is that it does not spell out the nature of the use variance relief which would be required should we be of the opinion to grant the relief requested by Mr. Taylor. Any deficiency whatsoever in notice results in a Board of Adjustment not having jurisdiction to hear the application. For the Board and the applicants protection is that we need the notice to be entirely correct in spelling out procedurally, precisely what is required. With great regret he stated that the notice is insufficient.

Mr. Glenn Taylor stated that he would renotece.

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Attorney Rumpf suggested that the board carry the application to our next regular meeting, and he stated that Mr. Taylor has already spoke to the engineer who is going to point Mr. Taylor in the right direction as to the notice issue.

Chair asked for a motion to carry this applicant.

Edward Covitz made a motion to carry and Tony DeAlmeida seconded it. Roll Call (Ayes) Covitz, DeAlmeida, Bruno, Lange, Roskowski, Anderson, Petrosilli.

Docket # 05.12.BA
Moose and Moo Family Trust
Block 239, Lot 28
Bayview Avenue
“C” Variance

Attorney Rumpf swore in Anthony Russo, Trustee for Moose and Moo and John Lord the engineer. Mr. Lord told of his qualifications. Chair stated that the board accepts his qualifications.

Chair asked if they were in receipt of the letter from the board’s engineer. They stated that yes they were.

The applicant stated that they are proposing a single family house on the vacant lot. The house would meet all of the setbacks but the lot is undersized so they are requesting a variance for the lot area.

Jim Oris, the board’s engineer went over his letter. He asked the applicant if they tried to purchase the landing on either side. Both of the lots are occupied with houses on them and they could not sell any of their land because they are already undersized also. They had no response from either of them.

Mr. Oris stressed that if there are stairs from the second floor deck to the ground they cannot encroach into the rear yard setback.

Chair asked if the board members had any questions.

Mr. Lange brought up a concern about elevation which Mr. Lord addressed and Mr. DeAlmeida spoke to the same issue and felt that it should be ok.

Attorney Rumpf asked about drainage in the area. He asked if they would be making the drainage worse. Mr. Lord said no they would improve it and the gutters will not be pointed to the adjacent neighbors.

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Mr. Oris said that he misspoke when he said that there was a second story deck there is only one deck proposed.

OPEN TO THE PUBLIC

Tom Burke, 19 Bayview Drive came forward and stated that he would like to have the applicant as a neighbor, and his only concern was with the setbacks and that seems to be being taken care of.

CLOSED TO PUBLIC

The Chair asked for a motion. Tony DeAlmeida made a motion to approve and Ron Bruno seconded it.

Attorney Rumpf asked to speak to the application. He said that there are several conditions that have been agreed to by the applicant. One is that he will resubmit the plan with the appropriate table of bulk requirements being corrected which would go to our board engineer, any downspouts will not be directed towards the neighbors but would be directed to the lagoon as directed by the townships requirements.

Roll Call (Ayes) DeAlmeida, Bruno, Covitz, Lange, Roskowski, Anderson, Petrosilli.

BOARD COMMENTS

Seeing none

OPEN TO PUBLIC

Seeing none

CLOSED TO PUBLIC

BOARD DISCUSSION

Tony DeAlmeida asked if the setbacks could be changed in the Sands Point area because all of the lots are undersized. It seems a hardship on the people because the lots are small and there is nothing that can be done about it.

John Petrosilli said that he did speak to Township Committee, went to Mr. Tredy and he indicated that he wanted to see our end of the year report to see how many cases we had

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in reference to this matter. The Committee has taken no action so he doesn't know what the next step would be.

Mr. Lange said that he thinks they are still looking into it from when he talked to them.

Mrs. Wetter wanted something in writing and Mr. Tredy wanted to clarify a couple things and to check when we got approved for the town center to make sure that this wasn't a part of the agreement.

We are also still waiting to hear from the Committee in reference to the revisions to our application for variances.

Motion Adjourn

Adjourned at 7:50 P.M.

Respectfully Submitted by

Laurie F. Clune
Board Secretary

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