

**ZBA Meeting 3-20-2014**

**TOWNSHIP OF OCEAN  
Zoning Board of Adjustment  
Minutes  
March 20, 2014**

**7:00 P.M.**

**PLEDGE OF ALLEGIENCE**

The regular meeting of the Zoning Board of Adjustment was held on the above date and time;

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 Asbury Park Press and the Press of Atlantic City. Notice was posted on the bulletin board in the Administration Building.

**ROLL CALL**

Members Present	Stanley Anderson	Edward Covitz
Antonio DeAlmeida	John Petrosilli	Raymond Roskowski
Stan Linck	Brian Higgins	

Absent: Ronald Bruno, Stanley Bystrek

**Professionals:** Attorney Brian E. Rumpf, Esq.  
Engineer Patrick Jeffrey

Chairman John Petrosilli asked for a motion for the minutes of the Regular meeting on February 20, 2014. Edward Covitz made a motion to approve and Antonio DeAlmeida seconded the motion. Roll Call: (Ayes) Covitz, DeAlmeida, Anderson, Roskowski, Higgins.

Chairman asked for a motion to approve the bills Edward Covitz made a motion to approve and Antonio DeAlmeida seconded the motion. Roll Call: (Ayes), Covitz, DeAlmeida, Anderson, Roskowski, Linck, Higgins, Petrosilli.

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**CORRESPONDENCE** - NONE

**MATTERS OF THE BOARD** - NJPO Winter-Spring Programs, is scheduled for Saturday April 5, 2014 at the Ocean County Fire Academy located on Volunteer Way in Waretown.

### **BOARD COMMENTS:**

Chairman stated that Brian Higgins, Stan Anderson, and Al Linck are attending the NJPO Program.

### **RESOLUTIONS**

Resolution# 2014-8-BA  
Lord of Lords Bible Community Church  
Docket# 09-13-BA  
442 Route 9  
Block 195 Lot 1.04  
Major Site Plan Preliminary and Final

Chairman asked for a motion to approve the Resolution 2014-8-BA. Edward Covitz made a motion and Stan Anderson seconded it. Roll Call: (Ayes), Covitz, Anderson, DeAlmeida, Roskowski, Higgins.

### **OLD BUSINESS**

**None**

### **NEW BUSINESS**

Joseph Kelly and Gina Bilangi  
Docket # 01-14-BA  
30 Capstan Road  
Block 91 Lot 7  
Bulk Variance

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Mr. Brian Rumpf, the board attorney, swore in the applicants, Joseph Kelly and Gina Bilangi.

The chairman asked the applicants to provide a testimony on their project.

Mr. Kelly, the applicant, explained they are the owners of 30 Capstan Road Block 91 lot 7. They received two feet of water due to Sandy. The home is declared substantially damaged. They also received a 50% substantial damaged letter from the flood plan manager. They also RREM Program inspection report, and they are thankful for that grant. The home is on a concrete slab which has prevented them from doing any work to improve the damage from Sandy. They would like to raise the house higher than the required, but to maintain the ordinance height requirement. There is currently a one car garage and would like to have more parking space under the home.

Mr. Kelly continued to explain that they would like to comply with the setbacks, but the house already has nonconforming issues. Mr. Kelly explained that by raising the house would raise their entry way to the backyard. They would need some sort of decking area to have stairs coming off of them to access the backyard due to the elevation of the home for future flooding. Mr. Kelly explained they would need a variance for the decking since it is an additional lot coverage, he continued by asking for a variance on the encroachment of the stairway as well.

Mr. Kelly respectfully stated that by raising the home it would not be a negative impact on the community, but be a positive impact. Many other homes in that area are raising their homes; therefore it would look more appealing and uniform for them to raise the home as well. Mr. Kelly added that this is for reconstructing the community. He explained that the raised homes are now going to be the new characteristics on Capstan Road.

The chairman asked about the encroachment of the stairway and if the applicant could put them under the house. DeAlmeida asked the applicant why they did not consider putting it under the house. Ms. Patricia Misyak-Peters, the applicants Architect, explained why the stairs could not go under the house. The applicants' guest would have to enter through the garage. She had provided the board with exhibits A-1 and A-2. A-1 provided the board with a floor plan of the first floor. A-2 provided the board with the ground floor, where the piers would be. She explained that the stairs would turn so that they did not encroach too much.

Pat Jeffrey, the board engineer, discussed his engineer letter. He explained that the applicant did a good job at explaining all of the variances that they were asking relief for. The engineer stated that the first variance was for the encroachment of the stairs. He explained that the Township Ordinance gives some relief for the landing encroachment of six feet from the face of the dwelling. Therefore, they would not be encroaching too much over the ordinance. He discussed the back entry needed relief for the lot coverage because it is more than thirty inches above grade with provided the elevation request. He had no questions for the applicant.

Chairman asked about the drainage of the property. Mr. Kelly said they have no current issues with drainage and that he really does not have a concern for it. He then explained why there was no grading proposed. He stated that if they did grading they would have to pour a new slab, Ms.

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Patricia, the applicants Architect, said a new slab is not proposed. Chairman asked if the garage would be enclosed and Mr. Kelly yes, but the back part under the house would not be enclosed. He explained that also the piling piers would be under there and that it would look appealing. Chairman asked where the mechanicals would be and Mr. Kelly said they will be above the BFE level. Also, underneath the house, they will have a concrete wall. Patricia explained that underneath the house would not be habitable space.

Mr. Higgins stated that he respected the applicants' request and that they are being proactive, for them providing an entry way that is

Chairman asked if there were any other issues that needed to be addressed.

### **OPEN TO THE PUBLIC**

**Seeing none**

### **CLOSED TO THE PUBLIC**

### **BOARD COMMENTS:**

Mr. Brian Rumpf, the board attorney, read the resolution into the record, as per respectfully requested from the applicants.

The Chairman asked for a motion on the approval of the application. Stan Anderson made a motion to approve and Brian Higgins seconded it. Roll Call: (Ayes), Anderson, Covitz, DeAlmeida, Roskowski, Linck, Petrosilli.

Chairman asked for a motion to approve the Resolution 2014-9-BA. Stan Anderson made a motion and Al Linck seconded it. Roll Call: (Ayes), Anderson, Linck, Covitz, Roskowski, Higgins, Petrosilli.

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OPEN TO THE PUBLIC FOR GENERAL COMMENTS:

Seeing none

CLOSED TO THE PUBLIC

Next Regular Meeting April 17, 2014

Motion to Adjourn

All in favor

Meeting Adjourned at 8:30PM.

Respectfully Submitted,

Renée Dronebarger  
Board Secretary  
RD