

ZBA Meeting 1-16-2014

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Minutes
January 16, 2014**

7:18 P.M.

PLEDGE OF ALLEGIENCE (During the Reorganization Meeting Previously)

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 Times Beacon and the Asbury Park Press. Notice was posted on the bulletin board in the Administration Building.

ROLL CALL

Members Present	Ronald Bruno	Stanley Bystrek	Edward Covitz
	Antonio DeAlmeida	Brian Higgins	John Petrosilli
	Raymond Roskowski		

Absent: Anderson, Linck

Professionals: Attorney Brian Rumpf, Engineer Patrick Jeffrey

Chairman asked for a motion for the minutes of Regular meeting of January 16, 2014. Antonio DeAlmeida made a motion to approve and Stanley Anderson seconded the motion. Roll Call (Ayes) DeAlmeida, Anderson, Bruno, Bystrek, Covitz, Roskowski, Petrosilli.

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

CORRESPONDENCE - New Jersey Planner

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BOARD COMMENTS:

DeAlmeida states that we should look a little closer to the corner lot applications. He stated his opinion on his concern on the visibility using examples if there were pedestrians and vehicles around that corner lot.

Chairman asks if there are any other board comments, seeing none.

RESOLUTIONS

None

OLD BUSINESS

None

NEW BUSINESS

Eileen Molloy & Donald J. Molloy
Docket # 08-13-BA
90 Oregon Avenue
Block 200 Lot 16
Bulk Variance, 1 Front Yard, 2 Side Yards, and Lot Coverage

Chairman asked the applicants to come up to the stand. Donald Molloy, Eileen Molloy, who resides at 86 Atlantic Avenue in Matawan, New Jersey and Amanda Sojak, who resides in Barnegat, New Jersey, were sworn in by the Board Attorney, Brian Rumpf.

Mr. Molloy stated that they had revised plans showing the revisions to the front and rear steps and had safety revisions.

Chairman asked if they received the Engineer's Letter. They said that they did. Chairman asked the applicant to give a brief overview of what it is they are doing.

Mr. Molloy stated that their home was substantially damaged due to Super Storm Sandy. They decided to rebuild and will reside at this property permanently. They needed variances on the front yard, the 2 side yards, and lot coverage. Mr. Molloy stated that they have the revised plot plans. Amanda Sojak then handed out the revised plot plan to the members to look over the Exhibit.

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Brian Rumpf, Board Attorney, called the revised Plot Plans and Floor Plans A-1 for the applicants' property dated January 14, 2014.

Mr. Molloy explained the 5.08 foot bump out for the fire place which would be cantilevered.

Patrick Jeffrey, Board Engineer, explained that the A-1 presented was revised on January 14, 2014. He then continued to discuss the subjects' property at 90 Oregon Avenue. He discussed the previous single family dwelling was a 1 ½ story that will be torn down and replaced with a new single family dwelling.

Variances requested front yard setback, 16 proposed (revised) side yard setback 5.08 to the west side and 7 feet to the opposite side (revised) plan propose the same. The yard encroachments for the stairs were revised, which now eliminated those requested variances.

Chairman asked about the grading of the property and the applicant stated there will be no changing to the properties current grade. Amanda Sojak stated that the Builder will obey by the zoning board and building code of the Township of Ocean.

Board Engineer discussed the Engineers Letter.

Board Engineer stated that the dwelling is impervious and that the decks were not impervious. 30% Lot coverage is allowed and the applicant is at 28.6%. That included the rear deck and the front porch. He stated that the elevation is above the required.

Mr. Molloy explained his side on why he wanted the elevation a few feet higher than what is required because of cost of insurance and his own safety reasoning.

Board Engineer asked Mr. Molloy to explain the parking ability. He said if necessary they would park under the house, head on, in between the Pilings, not side by side. They have two parking spots off-street.

Mr. Molloy stated that they will take care of the home and that the new home will fit in with the surrounding community.

The Board Engineer asked if the applicant received a substantial damaged letter. The applicant answered yes and explained that he is required to build with current flood elevation and current building codes.

Mr. Molloy explained the A-1, page six of the revised Plot Plan in regards to the roof they would situate on the structure.

Amanda Sojak explained the Exhibits (photos taken by Amanda Sojak and her Husband Arthur) were taken January 16th 2014 and some were approximately taken a week ago. The photos are marked A2-A9. A-2 Photo was a straight forward toward the home, A-3 was a photo taken from

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the west to show the property line of the current structure, A-4 is an adjacent lot to the west, A-5 is a photo of the adjacent lot to the east as well as the unbuildable lot, A-6 represented the current structure showing the east and the lot separation, A-7 was a photo to the east of subject property,

A-8 was a photo of homes across the lagoon currently that are being raised or reconstructed as well, and A-9 was a photo that showed homes across the street currently being lifted as well.

Chairman brought up the existing shed. Mr. Molloy does not want to propose a shed for the new structure, but it will not be something they could not go the Zoning Board of Adjustments later down the road if they wanted to, in the future, place a shed. The current shed will be removed after the demolition of the current home.

Mr. Molloy stated that underneath of the homes will not be closed in and there will be enough room under the home to park the cars.

Mr. Molloy stated his opinion on the great teamwork of the Township Residents helping each other clean up. He wanted to make sure that these residents were honored for doing such a wonderful job.

Chairman stated that the Township praised the residents and the Township was extremely supportive through the storm.

OPEN TO THE PUBLIC

Seeing None

CLOSED TO THE PUBLIC

BOARD COMMENTS:

Stan Bystrek asked the applicant if the house was going to be set up with pilings so that it allows parking under the home. Mr. Molloy would not want to close the underneath of the home and that they would park head on.

Chairman asked where the mechanicals would be and Mr. Molloy discussed it being downstairs, lifted. The chairman had said the builder will know where it should properly go.

The mechanicals are to be above flood elevation level and the applicant is above that level.

Brian Higgins asked why the applicant wanted to use the bump out for the fire place. He brought up it being difficult for the fire department to get to them beings that the Master Bedroom is above the fire place bump out, which also is the same side of where the neighbors park their boat

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6-9 months out of the year. Brian Higgins suggested a ventless fireplace due to safety hazard. Higgins addressed the 2 feet being useful in this situation if an emergency were to happen.

Chairman asked if this was something the applicant would like to change, and Mr. Molloy agreed to not do the bump out which would create a few more feet on that side of the home.

Brian Rumpf suggested that the board be acceptable to the variance of the 7 foot side yard instead of what was spelled out in the previously revised plans and the other variances stated.

Chairman asked for a motion on the approval for the application presented. Stan Anderson made the motion and Stan Bystrek seconded it. Roll Call (Ayes) Anderson, Bystrek, Bruno, Covitz, DeAlmeida, Roskowski, Petrosilli.

OPEN TO THE PUBLIC FOR GENERAL COMMENTS:

Seeing none

CLOSED TO THE PUBLIC

Next Regular Meeting February 20, 2014

Motion to Adjourn

All in favor

Meeting Adjourned at 7:50PM.

Respectfully Submitted,

Laurie Clune
Board Secretary
LC/rd