

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Meeting Minutes
February 19, 2015**

7:01 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, adequate notice of the meeting was properly provided by sending copies of the notice of meeting to the, Asbury Park Press and the Press Atlantic City. Notice of the meeting was posted on the bulletin board in the administration building.

ROLL CALL

Members Present	Stanley Anderson	Ronald Bruno	Edward Covitz
	Antonio DeAlmeida	Brian Higgins	Raymond Roskowski
	Albert Linck	Michael DeCicco	

Absent: John Petrosilli
Acting Chairman- Edward Covitz

Professionals: Attorney Brian Rumpf, Esq.
Engineer Jim Oris P.E, C.M.E.

The Chairman asked for a motion for the minutes of the Regular Meeting from January 15, 2015. Brian Higgins made the motion to approve and Ronald Bruno seconded the motion. Roll Call: (Ayes) Higgins, Bruno, Anderson, DeAlmeida, Roskowski, Linck, Covitz.

The Chairman asked for a motion for the minutes of the Reorganization Meeting from January 15, 2015. Antonio DeAlmeida made the motion to approve and Brian Higgins seconded the motion. Roll Call: (Ayes) DeAlmeida, Higgins, Anderson, Bruno, Roskowski, Linck, Covitz.

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

CORRESPONDENCE

NONE

MATTERS OF THE BOARD – Discussion regarding the 2014 annual report; stairs/steps encroachment. Mr. Higgins advised the Chairman that he is trying to get something together by working with the Zoning Official and Patrick Jeffery from T&M Associates to present to the governing body. Mr. Jim Oris further explained the process to which the Zoning Board would go about presenting the items. This would be a part of the update in the Master Plan at the Planning Board. Revisions are best to be made all at once to get the overall reaction from the public with any comments they may have. The Chairman discussed the stairs in the setback. Jim Oris stated that because of the homes being lifted the stairs had become an issue which had the Township make revisions to the encroachment of stairs in the setback. The Chairman explained that people wanting to park under the home creates a larger issue because the homes would have to go even higher. DeAlmeida stated that some are doing it the right way by only raising to what is required and having a front door with the stairs being interior stairs. Jim Oris explained that if this can be revised it would eliminate the variances with stairs. Some discussion was made regarding the previous approved stairs where the builder had made the front stairs encroach into the front setback. The Chairman asked if this would be noticed to the Planning Board as well. This would not Jim Oris and Mr. Higgins stated since it was a builder error.

OLD BUSINESS –

Docket No. 10-14-BA
George Mackres
535 Route 9
Block 41 Lots 37 & 39.01
Sign Variance

RESOLUTIONS-

Resolution No. 2015-1-BA
Authorization from the Zoning Board of Adjustment to direct the execution of Contracts of Agreement with the following Professionals for their services for the year 2015 in the following Resolutions:
2015-2-BA- Zoning Board Attorney Brian Rumpf, Esq.
2015-3-BA- Zoning Board Conflict Attorney Maguire & Maguire
2015-4-BA- Zoning Board Engineer T&M Associates
2015-5-BA- Zoning Board Conflict Engineer CME Associates
2015-6-BA- Zoning Board Planner/Landscape Architect Taylor Design Group
2015-7-BA- Zoning Board Conflict Planner/Landscape Architect T&M Associates

Resolution No. 2015-8-BA
Docket# 10-14-BA
Alexandra Ciro
136 Admiral Way
Block 105 Lot 1.09
Front Setback

The Chairman asked for a motion to memorialize the Resolution No. 2015-1-BA, Authorization from the Zoning Board of Adjustment to direct the execution of Contracts of Agreement with the following Professionals for their services for the year 2015. Antonia DeAlmeida made a motion to memorialize the Resolution and Brian Higgins seconded the motion. Roll Call: (Ayes) DeAlmeida, Higgins, Anderson, Bruno, Roskowski, Linck, Covitz.

The Chairman asked for a motion to memorialize the Resolution No. 2015-9-BA, Alexandra Ciro, 136 Admiral Way for an approval of the front setback variance. Brian Higgins made the motion and Ronald Bruno seconded the motion. Roll Call: (Ayes) Higgins, Bruno, Anderson, DeAlmeida, Roskowski, Linck, Covitz.

NEW BUSINESS

NONE

Docket#10-14-BA, George Mackres, 535 Route 9, Sign Variance:

The Board Attorney asked the applicant to raise their right hands to be sworn in. George Mackres, his Attorney David Roeber, and sign contractor Garran Gibson.

The Attorney David Roeber began to give a synopsis of the sign variance application. They have two existing nonconforming signs. One was hit by a car and they plan to get rid of that one. They want to improve the other sign. This would reduce the onsite signs to one designated sign. The Chairman asked a few questions. He asked if sign spaces would be used for onsite businesses only, Mr. Mackres said for the tenants only in the Waretown Plaza. He stated everyone's name would be on the panels on the one large sign. It would not be the Post Office it would be the rest of the plaza tenants Mr. Mackres stated. Mr. Mackres explained that the County a few years ago said he does not have to move the sign in the Rail trail, but the Township today states he has to take it down. He stated he would put that sign in the garbage and get rid of it. Mr. Higgins asked if the sign would be lit up and Attorney David Roeber stated it would be internally lit. He stated it is just one big box. Higgins asked if one tenant were to be removed; it would not be blacked out? Attorney David Roeber stated no it would just be blank. The Chairman asked if it would be a nautical sign. The Sign contractor, Mr. Gibson stated he could make it more nautical if must be. He asked if throwing some anchor detail on it or something of that sort. The Chairman stated this was once a fishing village so the nautical would be suitable.

Mr. Higgins asked if an anchor could be put on there and gave an example of the Wal-Mart sign in Manahawkin has an airplane because it represents history of an old airport that was once there.

Mr. Gibson shared more details regarding the sign and the footings. He stated the bollards could be painted. The Chairman stated you have to keep bollards to protect the sign poles. Mr. DeAlmeida stated it looks pretty dirty over there and it should be cleaned up. Mr. Jim Oris brought up that the sign was a nonconforming sign. When this sign was relocated there was not a permit issued. This sign is in the drive isle and in a parking space. If it was given a permit it was not placed in the right location. He wanted to provide to the board that if that were the case, having a permit, it would have been placed in a different location. The original one was 50 feet closer to the street and now it is not. The County put a fence up for the rail trail. Mr. Mackres stated you can not park in that fronting area because of the rail trail. Jim Oris stated that if he were to relocate the sign closer to the builder it would eliminate a variance and it would allow for parking in that parking isle where the sign is currently. Mr. Mackres stated he would like it to be closer to the road for visibility. The right-of-way is the County area. He stated he did get a permit for the current sign where it currently sits today. Jim Oris stated he will check with the Township regarding that particular sign permit.

Mackres stated he paid for the easement in the front many years ago. The Attorney David Roeber stated they have paper work for that. Jim Oris stated that if the applicant got approved for that sign, where it is located. He suggested that if the board agreed with the location, it would be in their best interest to reference the fact that you're going to legitimize the variance. He stated that the notice that was given must provide that information. Attorney David Roeber stated it entailed any additional variances if needed. Mr. Mackres stated there is roughly 60 feet from the road to the sign. Jim Oris summarized that measured from the property line 15 feet is required for the sign, although, it appears that it is physically farther from the physical road because of the rail trail (County easement). The Zoning board did not grant a variance for the 5 feet that the sign is currently. Jim Oris stated that if they ask for that variance then it will assist you in protecting you for the future. Attorney David Roeber stated that they would be asking for that relief as well.

The Chairman asked further questions regarding the sign if there is a vacant spot. The sign contractor Mr. Gibson stated it would just be turned around. Mr. DeAlmeida asked about the neon light that is there for the motel; will that be removed. Mr. Mackres stated it would. Mr. Higgins asked about parking and Jim Oris stated he has 30,000 square feet of building and the requirements are one space for every 200 feet of building. He has additional parking spaces of roughly 200 parking spaces. The loss of one space should not be an issue. Mackres had stated that the area around the sign is not used for parking and Jim Oris stated that there is still sufficient parking without using that area. Mr. Higgins stated he would be in favor of cleaning it up and putting some landscaping to make it look nicer. Higgins stated to close it off so it does not look like parking any longer. The Chairman agreed. He then asked if he would remove the old supports for the old sign that was hit. Mackres stated he is removing that sign. Higgins asked about the concrete behind the sign; will that stay? Mackres stated the block of concrete is the restaurants property not his. The restaurant had a light there. The board asked if he could somehow clean it up by painting it. Mackres stated he could paint it.

The Chairman asked if Jim Oris wanted to continue his questions. Jim Oris explained that the ordinance stated that the signs had to be lit from the exterior not internal. He stated he was looking through the ordinance. He further explained that Shop Rite has a roof structured sign with a little more architectural design to it. Jim Oris made the photo of the Shop Rite sign an exhibit. Attorney Brian Rumpf numbered it exhibit R-1. The board looked at the Shop Rite sign exhibit. The Attorney David Roeber stated that they will add to the top of the sign to include Waretown Plaza, the vacancy will not be posted, and anchors can be put on either side of the wording. The Chairman asked about street number. Mr. Gibson stated he can put it on the poll cover. He asked if the tenants are going to chose what they want on the sign. Mackres stated that each one would give them their business name. Ron Bruno asked if they would all be completely different. Mr. Gibson stated for an example Dunkin Donuts has their own kind of writing and logo, therefore it would look similar according to the tenants in the plaza. Mr. Ray Roskowski asked since there is additional variance required, could this be approved with what was originally submitted to the board. Attorney Brian Rumpf stated that it would be three variances. The applicant has indicated that they gain approval for three requested variances that he will remove the vacancy sign from the existing; he would designate the area in which the sign is located and clean it up by putting in any landscaping that would be appropriate for the area, he would create a more nautical look by creating a an anchor on either side of 'Waretown Plaza' and providing a street number, and lastly clean up the bollards. The Chairman stated the old sign that is damaged must come down. DeAlmeida stated the sign can only be used for the shopping plaza and motel.

Jim Oris stated the applicant must submit a revised plan to the board engineer which would show compliance of conditions of the board's action. The board is indicating that there be buffering and landscape and this should be looked at by the board planner/landscape architect. Mr. Gibson stated that it does not pertain to the sign. Jim Oris explained that once you are approved there is not final inspection like a CO. It would behoove the applicant and Township to have on paper what it is that you are going to propose. There is no CO to pull from you if you did not satisfy the conditions. Therefore, if it was not done according to the plan, it would be brought back to the board.

Mr. Gibson stated they could put a box planter at the bottom to make it look more appealing. He stated that now it is coming to life that it will be nautical he can make it more nautical themed. He can draw an anchor on the box as well. The Chairman stated you need something to protect the sign. The applicant agreed. Anderson recommended putting a boat as a planter box as a joke. The Chairman opened it up to the public:

OPEN TO THE PUBLIC

Seeing none.

CLOSED TO THE PUBLIC

Mr. Antonio DeAlmeida made a motion to approve the application and Brian Higgins seconded the motion. Roll Call: (Ayes) DeAlmeida, Higgins, Anderson, Bruno, Roskowski, Linck, Covitz.

The Chairman stated it was approved with the stipulations stated.

BOARD COMMENTS:

NONE

OPEN TO THE PUBLIC FOR GENERAL COMMENTS:

Seeing none

CLOSED TO THE PUBLIC

Next Regular Meeting March 19, 2015

Motion Adjourn

All in Favor

Meeting adjourned at 8:00 P.M.

Respectfully Submitted
Renée Dronebarger
Zoning Board Secretary
RD