

**TOWNSHIP OF OCEAN
Zoning Board of Adjustment
Minutes
May 21, 2015**

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, 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:	Stan Anderson	Ronald Bruno	Edward Covitz
	Antonio DeAlmeida	Brian Higgins	Raymond Roskowski
	Albert Linck		

Absent: John Petrosilli

Professionals:

Attorney Brian E. Rumpf, Esq.
Engineer Patrick Jeffrey

Chairman Edward Covitz asked for a motion for the minutes of the Regular meeting on March 19, 2015. Stanley Anderson made a motion to approve and Antonio DeAlmeida seconded the motion. Roll Call: (Ayes) Anderson, DeAlmeida, Bruno, Higgins, Roskowski, Linck, Covitz.

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

CORRESPONDENCE: New Jersey Planner March/April 2015

MATTERS OF THE BOARD: NONE

BOARD COMMENTS: NONE

RESOLUTIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS

Brian Sabarese
Docket # 01-15-BA
113 Michigan Avenue
Block 178 Lot 6.03
Side yard and rear setbacks for an in ground pool

Daniel & Virginia G. Smith
Docket# 02-15-BA
21 One Eye Way
Block 157 Lot 11
Multiple variances for front yard, side yard, and rear yard setbacks.

The Chairman asked for the first new business to come up to the microphone. He introduced them as Docket 01-15-BA, 113 Michigan Avenue, Block 178 Lot 6.03, Brian Sabarese for a pool setback. Mr. Sabarese came up to be sworn in with his contractor Michael McLain by the Board Attorney, Brian Rumpf. They sat down and began their testimony regarding their project they were proposing. Mr. Sabarese stated he was looking to put a pool in his backyard. He was looking to put the pool five feet from the rear and five from the side yard setback. The Board Engineer went through the engineer's letter. It is noted on the plan that the pool would be five feet from the house. The plan also indicated that it is an in ground pool. The distance from the house to the rear property line is a similar width, the Engineer asked. Mr. Sabarese said yes it is. He is looking to center the pool in the yard. He is proposing five feet off the side yard to give relief to the back door. This will allow them to walk out six feet from the pool that way it is safe. The Engineer asked the contractor if this is a typical size pool. He stated no this is smaller to where it does not even have a diving board.

Mr. Sabarese stated that he was really looking for relief from the properties who are closest to the pool. Mr. Chairman asked how he would get the pool back there because of the fencing. Mr. Sabarese stated he would remove sections of the fencing to get the pool in the yard and then put them back up. The Chairman said that the pool looks a little small on the plan. Mr. Sabarese stated that it will be five feet from the house, five feet from the rear, and five feet from the side yard. He would stay in that area with the size of the pool.

Ronald Bruno asked, where is the pool according to the back door? He stated to pool would be six feet to the right. The Chairman asked how large will the deck be. Mr. Sabarese stated it will be 18x18 and it is at grade so he would not need a variance for that.

No further comments from the board.

OPEN TO THE PUBLIC

Seeing none

CLOSED TO THE PUBLIC

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

The Chairman explained the building permits and that the resolution would be memorialized at the next regular meeting.

The Chairman introduced the next up on the agenda, docket number 02-15-BA, Daniel & Virginia G. Smith, 21 One Eye Way for several variances for bulk. The Attorney swore in Daniel Smith, Virginia Smith, and Robert Lange.

Mr. Smith stated that they are here to bring the home into compliance due to the home being hit by Super Storm Sandy. The board Engineer went through his engineer's letter. The applicants are asking for multiple variances related to the location. They are proposing a two story structure, they are asking relief on the front yard setback of 11 feet where 25 feet is required, a side yard setback to the lagoon to the south where they are proposing 16.85 feet to the deck where 20 feet is required, and the 15 feet where 25 feet required to east to the lagoon. They did not receive a substantially damaged letter from the Township. Mr. Smith stated they had four inches of water through the whole house; they fixed it right away since that is their primary residence. They finally just received grant money from FEMA to rebuild. He provided the board with pictures that were taken by Virginia Smith May 21st 2015 in the morning. They were marked A-1 through A-6.

The engineer stated the house existing is below the FEMA preliminary flood maps. The proposed home is 10.1 feet above that. The engineer asked if the property had any uniqueness compared to other homes in the area. Mr. Smith stated that their house is on the cul-de-sac making it a smaller front yard compared to others on that road. The south side of the property is on an angle. The water is there as well as the rear of the home. The shape of the lot becomes narrower to the rear. If the lot was square this would not be an issue. Mr. Smith stated there will be a rear deck to the rear. The engineer asked if the rear deck would the location of it impact the neighbors using the lagoon? Mr. Smith stated he does not believe it would. The engineer asked if it will inhibit the air or light to the neighbors. Mr. Smith stated it would not. The engineer asked about the run off of the water from the roof. Mr. Smith stated it will go straight to the lagoon and away from adjoining neighbors. Mr. Lange stated the grading would be directed to keep the water from draining into the adjoining properties. He would add a little fill to the front to pitch the water better. The house existing is in line with the rest of the homes, where to proposed it setback more. This would be a three bedroom home with two baths having a two car garage.

The Chairman asked about the height. Mr. Lange stated it would be around 30.1 feet. The engineer asked where that measurement is from. Mr. Lange stated that it is to the peak. The engineer stated that the code does not measure to the peak; therefore it is even more in compliance. Mr. Lange stated that there was another home that was approved on the same road a few years ago.

Stanley Anderson stated what you are doing is actually more in compliance, except for the rear. The engineer asked about the fill on the lot. Mr. Lange stated the water will be drained to the lagoon. The leaders will be directed appropriately. DEP approves that kind of drainage now.

Any questions from the board the Chairman asked; no questions. The Chairman opened it up to the public

OPEN TO THE PUBLIC

22 One Eye Way, Mr. & Mrs. Ferguson, they stated them moving the house in from the one side helps to allow them to see the water more. They are in favor of the application.

19 One Eye Way, Mrs. Dorothy Bacsik She stated she is in favor of the application.

16 One Eye Way, Stephanie & Donald Gebhardt, they are in favor of this application as well.

CLOSED TO THE PUBLIC

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

The Chairman stated that they must obtain the necessary building permits and that the resolution will be memorialized next regular meeting.

BOARD COMMENTS: NONE

OPEN TO THE PUBLIC FOR GENERAL COMMENTS:

Seeing none

CLOSED TO THE PUBLIC FOR GENERAL COMMENTS

Next Regular Meeting June 18, 2015
Motion to Adjourn
All in favor
Meeting Adjourned at 7:36 PM.

Respectfully Submitted,
Renée Dronebarger
Board Secretary
RD