

The Regular Meeting of the BERKELEY TOWNSHIP ZONING BOARD was held on October 22, 2014 at the Municipal Building's Meeting Room, Pinewald-Keswick Road, Bayville, New Jersey.

Roll call was taken. Present were Chairman Richard Elliott, Larry Borio, Jerome Bollettieri, Edward Cammarato, Louis Tuminaro, Gerard Reuter, John Macmoyle, Anthony Granberg and Lee Gashlin. Also present were Alexander Pavliv, Esq., Zoning Board Attorney, John J. Mallon, PE, Zoning Board Engineer, Melanie Adamson, PE, Zoning Board Planner, Linda Sullivan-Hill, Court Reporter and Kelly Hugg, Secretary to the Zoning Board.

Chairman Elliott led the flag salute, moment of silence, read the public announcements and started the meeting.

1. **Zavanelli, Mark & Heather**

**BOA #14-5622**

---

**Application: Raise Storm Affected Single-Family Dwelling and Construct Additions Creating Setback and Lot Coverage Variances.**

**Block: 1405 Lot: 1, 1.01 & 2**

**Location: 1101 Island Drive**

**Denial Reads: "Applicant proposes to construct additions to a SFD (that) will leave a 25.3' front setback (75' required), a 9.5' rear setback (50' required), a 5.6' side setback (25' required), a 12.5' combined setback (50' required), and increase the lot coverage to 30% (10% max. allowed)."**

Engineer: Frank Baer

Mr. Baer stated his qualification; application for bulk variances due to Sandy. Mr. Baer explained location of property; variances requested; applicants proposing to construct a second floor over existing garage and attach that addition to the dwelling, covered porches, steps, and new finished floor to be in compliance with flood zone. Mr. Baer entered picture of google map as exhibit A-1, photo of front of structure and westerly side yard exhibit A-2, easterly side yard, Island drive looking east and Woodpecker drive. Mr. Baer stated they could comply with the recommendations in Mr. Mallon's review letter. Mr. Baer discussed the review letter prepared by Remington, Vernick and Vena. The drainage easements were described; there are no pipes for the drainage easement. Mr. Baer explained the hardships for this application. Mr. Baer verified that the architectural plans were incorrect.

Mr. Mallon questioned the acreage of the property; condition of existing variance for accessory structure in the front; air conditioning unit location; piping the runoff into the lagoon; encroachment is for the deck; not enclosing under the deck; electric meter location.

Ms. Adamson reviewed the variance requested; wanted clarification of the hardships; similar in size with neighborhood; elevation views.

The Board questioned the driveway; first floor square footage being doubled in architectural plan; if the second floor decks were covered; requested dimensions of rear deck; garage location will it be removed; will new structure have foundation underneath; the drainage easement to the west should not be eliminated; moving air conditioning unit; any intentions for fencing yard (right side); consider decorative rain barrels; was tidelands claim line located by State.

Ms. Adamson questioned the second floor decks in the back and if wetlands on property.

Chairman Elliott opened to public.

Motion to close to public by Mr. Reuter; seconded by Mr. Cammarato. Motion carried.

Motion by Mr. Borio to approve with stipulations; seconded by Mr. MacMoyle. Motion carried.

2. **Bryant, Robert** **BOA 14-5624**

---

**Application: Replace Storm Affected Single-Family Dwelling with a New Single-Family Dwelling with Setback Variance.**

**Block: 1635 Lots: 11 & 17-19**

**Location: 171 Brennan Concourse**

**Denial Reads: "Applicant proposes to replace a SFD that will leave a 31' front yard setback where 35' is required."**

Engineer: Evan Hill

Mr. Hill explained that applicant was part of the REMM program; eligible for two bedroom model; proposing to construct a one story single family dwelling; located on the northwest corner of Stevens Avenue and Brennan Concourse; new variances and old variances present for this application; shed setbacks would require a variance; there are two gravel driveway accesses to the property; waiver to not pave the driveway; waiver for curbing and sidewalks; discussed drainage on site. Mr. Hill reviewed the requirements listed in Remington, Vernick and Vena and T & M Associates review letters.

Mr. Mallon requested that the electrical box be relocated; would like to have shed relocated and feels shed is an accessory building because of the size.

Ms. Adamson requested dimensions for dwelling on plans, dimensions of drive along Brennan concourse and if any trees were being removed.

The Board questioned the curb and sidewalks; was the framed shed safe to move and set within the required setbacks.

Mr. Bryant stated shed could be moved; he did not check underneath; he would be willing to move his shed.

Chairman Elliott opened to public.

Motion to close to public by Mr. Reuter; seconded by Mr. Cammarato. Motion carried.

Motion by Mr. Reuter to approve with stipulations; seconded by Mr. Cammarato; with Chairman Elliott abstaining. Motion carried.

3. **McMunn, Michael** **BOA #14-5625**

---

**Application: Replace Storm Affected Single-Family Dwelling with a New Single-Family Dwelling with Setback Variances.**

**Block: 1383, Lots: 17-27 (odd)**

**711 Riverside Drive**

**Denial Reads: "Applicant proposes to construct a replacement SFD that will leave a 39.5' front yard setback (75' required) and a 29.5' rear setback (50' required)."**

Engineer: Evan Hill

Mr. Hill explained that applicant was part of the REMM program; eligible for three bedroom model; described location of the property located in CR zone; all variances are due to undersized lot; will not require any height variance; seeking waivers for curbs and sidewalks. Mr. Hill reviewed the requirements listed in Remington, Vernick and Vena and T & M Associates review letters.

Mr. Mallon questioned the location of the proposed dwelling.

Ms. Adamson felt that rear yard variance could be avoided by just putting home back in same location.

Mr. Hill said prototype homes are dictated by the State.

The Board questioned the first floor elevation and the side landing elevation; concerned with the rotating of the house.

Chairman Elliott opened to public.

Motion to close to public by Mr. Cammarato; seconded by Mr. Tuminaro. Motion carried.

Motion by Mr. Reuter to approve with stipulations; seconded by Mr. Cammarato. Motion carried.

4. **Scarlata, Mary****BOA 14-5600**

**Application: Replace Storm Affected Single-Family Dwelling with a New Single-Family Dwelling with Setback Variances**

**Block: 1549 Lot: 37**

**Location: 218 Cedar Drive**

**Request for clarification/interpretation of Resolution of Memorialization adopted at September 24, 2014 meeting.**

Ms. Scarlata explained her intentions were to enclose lower level and to have a garage door. She did not understand that plans had to show the enclosed lower level. The shed would be placed inside the enclosed lower level of the dwelling.

Mr. Mallon said that Ms. Scarlata originally indicated that you were going to leave lower level open.

The Board questioned location of where the shed would be relocated; would lower level have breakaway walls.

Mr. Mallon stated that there would be an addition to the Resolution that would indicate the lower level being enclosed.

Mr. Borio recused himself from this case.

Mr. Pavliv said no motion was required for above because this was just an interpretation on previously approved resolution.

#### MINUTES APPROVAL

September 10, 2014

September 24, 2014

Motion by Mr. Cammarato to approve; seconded by Mr. Macmoyle; with Mr. Gashlin abstaining for September 24 minutes. Motion carried.

#### VOUCHERS

T & M Associates

Linda Sullivan-Hill

Remington, Vernick & Vena

Motion by Mr. Tuminaro to approve; seconded by Mr. Cammarato. Motion carried.

Mr. Mallon discussed the upcoming Zoning Board meetings.

Mr. Burns stated that Architect for Ms. Scarlata should have given completed plans to Ms. Scarlata; should not put a structure under a structure, such as a the shed.

Mr. Bollettieri stated he was informed of a new REMM program.

There was a discussion with the Secretary, the Board and the Professionals about a potential lawsuit for the Podesta.

#### ADJOURNMENT

Motion by Mr. Bollettieri to adjourn; seconded by Mr. Cammarato. Motion carried.