

The Regular Meeting of the BERKELEY TOWNSHIP ZONING BOARD was held on January 28, 2015 at the Municipal Building's Meeting Room, Pinewald-Keswick Road, Bayville, New Jersey.

Roll call was taken. Present were Chairman Richard Elliott, Larry Borio, Edward Gudaitis, Jerome Bollettieri, John Macmoyle (left at 8:00 pm), 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.

SUNSHINE ACT STATEMENT: This meeting was advertised in the Asbury Park Press, posted on the Township's bulletin board as required by the "Open Public Meeting Act".

Please be advised that there is to be **NO SMOKING** in this building in accordance with New Jersey Legislation.

AGENDA

DiCapua, John & Denise

BOA #14-5630

Application: Construct a Rear Yard Deck with a Rear Setback Variance.

Block: 1552 Lot: 39

Location: 275 Evergreen Drive

Zone: R-64

Denial Reads: "Applicant propose to construct a 10' x 40' deck in the rear yard that will leave a 10' setback where 20' is required."

Anthony DiCapua, 275 Evergreen Drive, requesting a variance for a rear yard setback for a proposed 10' X 40' deck. Mr. DiCapua requested a waiver for curbs and sidewalks. The deck will be left open underneath. Mr. DiCapua stated that the lower level of the building would not be enclosed. The pilings for the deck were put in by builder at the same time of the proposed dwelling. A portion of the new deck will be covered by an awning. The piles were set in July. Mr. DiCapua would have to check the price for downspout planters before he would consider installing.

Mr. Mallon questioned the house setbacks of home under construction and if the above deck would be partially enclosed. Mr. Mallon recommended to applicant to consider reducing the deck size and moving steps to the other side.

The Board questioned the size of the deck; recommended that the width of the deck size be reduced; will the applicant enclose lower level; would you consider reducing size of deck so that the setback would be further away from the bulkhead and changing the location of the steps; when were the pilings constructed and were they shown on the original building plans; down-spout planters used to remove impurities from roof top rain runoff.

Chairman Elliott opened to the public.

Motion to close to the public by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

Motion to approve application with stipulations by Mr. Gudaitis; seconded Mr. Bollettieri. Motion carried with Mr. Gashlin voting no.

Hatch, Josephine

BOA 15-5647

Application: Replace a Storm Affected Single-Family Dwelling with a New Single Family Dwelling with Setback and Lot Coverage Variances.

Block: 1557 Lot: 11

Location: 220 Rosewood Drive

Zone: R-64

Denial Reads: "Applicant proposes to construct a 2-story SFD on pilings to replace a storm Sandy affected SFD that will leave a 14.26' rear yard setback (20' required), a 5.1' side setback (7' required) and 31% lot coverage (30% max. allowed)."

Ms. Hatch testified that she would like to build a replacement home requiring variances. The wood deck stays at grade. The lower level will be enclosed. Some of the tie curbs belong to the neighbor, but tie curbs on her lot will be removed. Ms. Hatch would have to check the price for downspout planters before she would consider installing.

Mr. Mallon stated that there was a revised map furnished to the Board and no other review letter was prepared. Mr. Mallon questioned if the house could be relocated 1.9' to make the side setback 7' which will eliminate one of the variances; would there be a gravel driveway; the rear deck will not be enclosed; down spout rain barrels were suggested. The downspouts have to be relocated to flow into the lagoon.

Mr. Pavliv questioned relocating the dwelling 1.9 feet to the east.

Ms. Adamson questioned the stairs; the tie curbs and if they will remain or be eliminated; the height of the dwelling on the zoning schedule was reviewed. Ms. Adamson discussed the waiver for the driveway.

The Board members questioned if the applicant would consider downspout planters to help with pollutants; egress stairways were questioned; will the first floor deck be covered; recommended that the second floor deck should not be covered; concerned about second entry way and that applicant should consider another exit.

Chairman Elliott opened to the public.

James Burns, 219 Dogwood, questioned the rear setback line and is the measurement from the bulkhead or the property line.

Mr. Mallon stated the measurement is from the face of the bulkhead.

Motion to close to the public by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

Motion to approve with stipulations by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried with Chairman Elliott abstaining from the vote.

VOUCHERS

Remington, Vernick & Vena
T & M Associates
Linda Sullivan Hill
Alexander Pavliv, Esquire

Motion to approve by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

RESOLUTIONS

Michael & Charlotte Baglieri – BOA #14-5627
Kenneth & Mary Bogdan – BOA #14-5621

Motion to approve by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

PROFESSIONAL AGREEMENTS

T & M Associates – John J. Mallon, PE - Board Engineer
Remington, Vernick & Vena – Melanie Adamson, PE – Board Planner
R. C. Shea & Associates Inv.– Conflict Attorney
Linda Sullivan Hill CSR – Court Reporter

Motion to approve by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

RESOLUTIONS FOR PROFESSIONALS

T & M Associates – John J. Mallon, PE
Remington, Vernick & Vena – Melanie Adamson, PE
Alexander Pavliv, Esquire – Board Attorney

Motion to approve by Mr. Gudaitis; seconded by Mr. Bollettieri. Motion carried.

Mr. Bollettieri discussed that the Resolutions approved by the Zoning Board were not being enforced by the Construction Office.

Mr. Pavliv suggested sending letter to Town Council regarding this issue.

ADJOURNMENT

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