

The Re-Organization Meeting of the BERKELEY TOWNSHIP ZONING BOARD was held on January 14, 2015 at the Municipal Building's Meeting Room, Pinewald-Keswick Road, Bayville, New Jersey.

Roll call was taken. Present were Richard Elliott, Larry Borio, Edward Gudaitis, Jerome Bollettieri (left at 7:25 pm), Gerard Reuter, John Macmoyle 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.

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

Mr. Gashlin was sworn in by Mr. Pavliv.

Board Re-Organization and Appointment of Professional Staff

CHAIRMAN

Nomination was made by Lawrence Borio to elect Richard Elliott as Chairman; nomination seconded by Mr. Reuter; motion carried.

VICE CHAIRMAN

Nomination was made by Edward Gudaitis to elect Lawrence Borio as Vice-Chairman; nomination seconded by Mr. Bollettieri; motion carried.

Chairman Elliott made a recommendation to nominate the Professionals and staff to remain the same as the previous year; Mr. Bollettieri made the motion to accept Chairman Elliott's recommendation; seconded by Mr. Gudaitis; motion carried.

SECRETARY

Louis Tuminaro

ACTING SECRETARY

Edward Gudaitis

BOARD ATTORNEY

Alexander Pavliv, Esquire

BOARD PLANNER

Melanie Adamson, PE - Remington, Vernick & Vena

BOARD ENGINEER

John J. Mallon, PE - T & M Associates

BOARD SECRETARY

Kelly Hugg

BOARD COURT REPORTER

Linda Sullivan-Hill

BOARD NEWSPAPERS

Atlantic City Press

Asbury Park Press

Berkeley Times

Berkeley Patch

BOARD MEETING TIME AND DATES

Township Board of Adjustment on the 2nd Wednesday of each month with Special Meetings on 4th Wednesday. The hour for Regular Meetings will be 6:30 PM (6:00 PM for Executive Caucus, if required).

AGENDA

Bogdan, Kenneth & Mary**BOA #14-5621**

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

Block: 1553 Lot: 19

Location: 240 Evergreen Drive

Zone: R-64

Denial Reads: "Applicant proposes to replace a Storm Sandy affected SFD that will leave a front setback of 19.5 feet (25' required), a rear yard setback of 12.66 feet (20' required), a side setback of 5.10 feet (7' required), a combined side setback of 15.75 feet (18' required), and lot coverage of 35.2% (30% max. allowed)".

Attorney: Michael Paxton

Michael Paxton explained that the plan was revised per the previous review letters. Berkeley Township tax map entered in the record as exhibit A-1; plot plan entered as exhibit A-2. Mr. Paxton discussed the review letters prepared by the Professionals. Exhibit A-3 architectural plans.

Mr. Bogdan explained home was destroyed by Sandy and requesting variances to rebuild new home. The footprint is almost identical to the original structure. Mr. Bogdan preferred gravel but would do paving if required by the Board. The lower level would not be enclosed. The structure would be in conformance with the existing neighborhood.

Mr. Mallon stated house was moved back to conform, not enclosing lower lever, and revised to show a 4 foot deck.

Ms. Adamson questioned the architectural plans; the chain link fence is either encroaching on neighbor's property or the fence could belong to Mr. Bogdan; recommended that the fence encroachment should be corrected unless the fence is Mr. Bogdan's.

The Board members questioned how the setbacks are measured to the bulkhead; made recommendation that the house be reduced in size; recommended that the deck be eliminated if the house would not be reduced; felt that paved driveway was a good idea; discussed an entrance underneath; could a dormer be added to increase square footage; the headroom for the vehicles; roof drains to be piped into the lagoon and requested that decorative rain barrels be used.

Chairman Elliott opened to public.

Larry Miloscia – Mr. Miloscia welcomes the applicant's plan for the new residence and felt the new construction was a distinct improvement to the neighborhood.

Ed Pragler owns property to the west. He had the problem with the setback to bulkhead and felt the front setback should be moved forward. The location of the proposed air conditioner unit is not in a good area and concerned about the view being obstructed by the proposed dwelling.

James Lagrosa 252 Pine – Mr. Lagrosa wanted to thank the board for what they have done for the residents of the Town.

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

Motion to approve the application with stipulations by Mr. Borio; seconded by Mr. Reuter. Motion carried with Chairman Elliott abstaining.

Jerman, Jeffrey**BOA #14-5593**

Application: Construct a Single-Family Dwelling on an Undersized Lot with Setback and Lot Coverage Variances.

Block: 383 Lot: 1

Location: Western Boulevard at Veterans Boulevard

Zone: CR

Denial Reads: "Applicant proposes to construct a SFD on an undersized corner lot – 7,769 sf lot (130,680 sf required), 59.36' frontage (200' required), 138' lot depth (200' required), 18% lot coverage (10% max. allowed), 12' & 65' front setbacks (75' required), 25' rear yard setback (50' required) and a 14' side setback (25' required)."

This matter was carried to February 11, 2015 Zoning Board meeting.

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

Block: 1542 **Lot:** 3

Location: 202 Maple Drive

Zone: R-64

Denial Reads: "Applicant proposes to replace a storm affected SFD with a rear deck that will leave a 13' rear yard setback (20' required) and a 5' side yard setback (7' required) and a combined side setback of 12' (18' required)".

Attorney: Fred Wiedeke

Engineer: John Kornick, PE

Mr. Wiedeke questioned Mr. Kornick.

Mr. Kornick discussed the properties located in the neighborhood. Exhibits were entered into the record as follows: Exhibit A-1 Variance Plan/Plot Plan dated 8/27/2014; Exhibit A-2 Map of Survey dated June 22; Exhibit A-3 Architectural Plans prepared by Dario Architecture/Design dated October 16, 2014; Exhibit A-4 Site Photographs taken by K2 Consulting Engineers, Inc. Mr. Kornick explained the variances that were requested. Waivers for curbs and sidewalks were requested. The shed has been removed. The home will be enclosed except under the deck. There did not appear to be any drainage issues.

Mr. Mallon questioned a discrepancy between the plot plan and the architectural plan.

Mr. Wiedeke verified that the plot plan was correct and the architectural plan would be modified.

Mr. Mallon questioned the grading plan.

Ms. Adamson questioned the rear yard setback; requested revised architectural plans and they should be signed and sealed.

The Board questioned the platform for the air conditioning unit; decorative rain barrels where requested; concerned about the right of way line along the property line as shown on the survey as well as the plot plan; recommended that the deck be reduced.

Chairman Elliott opened the meeting to the Public.

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

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

Year End Report – 2014 Zoning Board Cases

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

VOUCHERS

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

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

MINUTES

November 12, 2014

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

RESOLUTIONS

Mark & Mary Daly – BOA #14-5639
Marlene Petti – BOA #14-5631
Evelyn Woodman – BOA #14-5612

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

Mr. Pavliv discussed the Podesta case.

ADJOURNMENT

Motion to adjourn by Mr. Reuter; seconded by Mr. Gudaitis. Motion carried.