

ZONING BOARD OF ADJUSTMENT

MAY 24, 2018

PRESENT: Michelle Casserly, Philip Greig, John Lisko, Judy Young, Bob Cupoli, Chuck Ross

ABSENT: Mark Fitzgerald, Manny Fowler and John Hutchinson

ASLO PRESENT: Board Attorney Kevin Kennedy, Esq., Zoning Officer Ted Bianchi and Board Secretary April Claudio

The secretary stated that adequate notice of this meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on December 18, 2017 and by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Greig made a motion to waive the reading and approve the minutes of the April 16, 2018 meeting, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Ms. Casserly, Mr. Greig, Mr. Lisko, Ms. Young, Mr. Cupoli and Mr. Ross

NOEL CHAMPAN – 97 13TH AVENUE

Mr. Kennedy stated the applicant had provided service but an attorney is objecting to the sufficiency of the notice. Mr. Kennedy stated he believes the notice is fine however the attorney wants to carry the application and re-notice out of an abundance of caution.

Mr. Greig made a motion to carry the application to a date to be determined, which was seconded by Ms. Casserly and approved unanimously.

405 14TH BELMAR LLC AND 402-404 15TH AVE LLC

Mr. Kennedy explained the applicant's attorney asked for an adjournment to July 26, 2018 without the need for further notice. Asked if anyone from the public had an issue with the sufficiency of the notice.

Ina Giardina, 406 15th Avenue, asked if it is fair for the attorney to call it. Came in to borough hall today to review plans and lives an hour away. Mr. Kennedy apologized but the applicants are permitted to do this within reason.

Jean Sikora, 321 15th, didn't get a certified mail notice but got a notice in a blank envelope. Mr. Kennedy stated he will advise the applicant's attorney to look into this.

Mr. Greig made a motion to carry the application without the need for further notice, which was seconded by Ms. Young and approved unanimously.

At 7:15 p.m. the Board took a brief recess to allow the public to leave who were here on the two applications that cancelled.

At 7:25 p.m. the Board reconvened and all were still present.

JOSEPH MAZUR – 207 15TH AVENUE

Appearing for this application was Mr. Mazur, architect Jim Matarazzo and attorney Monica Kowalski. Ms. Kowalski stated the property is a two-family residence in a single-family home occupied by Mr. Mazur. He would like to abandon the two-family use and build a new single-family home. The architect will explain that there will be no way for this to be converted back to a two family. Mr. Surmonte will testify that they require a front yard variance but are in line with the houses on the street and setback further than the houses to the west. Seeking a variance for the half story due to the proposed windows, submitted a colorized photo to show the type of windows being used to add light and air to the half story. The knee wall is 14 inches over what the ordinance allows. Also seeking a variance for a third story deck. She submitted a colorized rendering of the proposed house to show the three levels of decks. She also submitted some photos from the internet of the home at 205 15th Avenue which he used to get design ideas for his home. Has additional photos that they can submit that shows other houses in town that have the third story deck. They submitted an aerial photo delineating the two-family homes in the area.

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She explained his property is surrounded by many two-family homes in a single-family zone. The house behind them sits on the property line and his existing home sits 3.8 feet from the property line which is tight.

Mr. Mazur stated he spent many years trying to design something that would fit in. Would like to retire in Belmar, been here for almost ten years. Would like to have his parents move in with him. The existing home is tiny and is embarrassed to have his children over. Each existing unit is only 500 square feet.

Ms. Kowalski stated since the property is Mr. Mazur's primary residence he would like to keep the existing home up and live there while the new home is under construction. They will accept a condition that they will demolish the existing home within 20-25 days of completion of the new home and obtaining a temporary certificate of occupancy. Will remove the stucco, porch and downstairs apartment. He will occupy the second floor until the new house is complete. There is no effect on parking.

Mr. Kennedy asked about the existing home. Mr. Mazur stated the first-floor unit has three bedrooms and one bathroom and is not occupied. The second-floor unit has three bedrooms and one bathroom and is occupied by himself.

Mr. Surmonte, surveyor, stated the proposed front yard setback is 14 feet to the front of the house and 6ft to the porch which is similar to the houses to the west. As you go further west many homes are positioned further out. The proposal will not affect the views of any of the houses to the west.

Mr. Matarazzo stated he designed the house to fit Mr. Mazur's needs and it cannot be converted back to a two family. He added the kitchen is proposed to be on the second floor. There are no negative impacts to the neighborhood.

Mr. Lisko pointed out the other variance they didn't mention for the covered second floor porch. Mr. Bianchi stated it is part of their application.

Mr. Ross asked about the driveway. Mr. Surmonte stated they have 64 feet from the front of the house to the back of the driveway which is three parking spaces. Mr. Bianchi stated that is fine.

Mr. Ross asked about gutters, leaders, and water drainage. Ms. Kowalski stated they have proposed a gravel drywell in the rear of the property.

Mr. Cupoli asked if the utilities could be placed underground. Ms. Kowalski stated they will try to comply subject to approval from the utility companies.

Ms. Young asked what materials would be used for the driveway. Mr. Mazur replied, crushed stone.

Ms. Casserly asked for timeframe. Mr. Mazur stated he would like to start in September right after Labor Day.

Mr. Greig asked if the drywell would be constructed in cooperation with our engineer. Ms. Kowalski replied yes. Mr. Greig asked after obtaining a temporary certificate of occupancy how long would they need to demolish the existing house, doesn't want them to cut themselves short. Ms. Kowalski stated they would be happy with 60 days but could do it in less. Mr. Greig suggested 90 days which they were appreciative of.

Mr. Greig asked about the a/c condensing unit. Mr. Mazur stated it will be in the rear of the house and comply.

Mr. Lisko would like it to be a condition of the application that the two-family use be permanently abandoned. Ms. Kowalski agreed.

Public:

Mark Presto, 110 13th Avenue, was originally hear for the other applications, but is glad to hear a reasonable application be presented. He also has a house on 15th Avenue. Strongly urge an

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approval of the variances requested. They are very planned out and he is considerate of his neighbors. Going from a two family to one family is desirable. Would improve the neighborhood and the town's tax base.

Arlene Neppel, owns 100-102-104 15th, has been in town for thirty years and has seen Mr. Mazur around town. 15th Avenue is an up and coming street. The home looks beautiful. Glad there are no objections.

Ted Protonentis, 106 15th Avenue, agreed with Ms. Neppel and Mr. Presto. It's a great proposal and welcomes him to the neighborhood.

Board Comments:

Mr. Ross stated he is in favor of the application.

Mr. Cupoli stated it will be an improvement to the neighborhood, also in favor.

Ms. Young stated she is in favor and is glad neighbors are as well.

Ms. Casserly stated she is in favor of the application.

Mr. Greig congratulated the attorney on a well-presented case.

Mr. Lisko stated he is also in favor.

Mr. Kennedy summarized the conditions discussed.

Mr. Greig made a motion to approve the application, which was seconded by Ms. Casserly and approved by the following vote:

AYES: Ms. Casserly, Mr. Lisko, Ms. Young, Mr. Cupoli, Mr. Greig and Mr. Ross

Mr. Greig made a motion to adjourn the meeting, which was seconded by Mr. Cupoli and approved unanimously.