

## ZONING BOARD OF ADJUSTMENT

MARCH 28, 2019

PRESENT: John Lisko, Philip Grieg, Michelle Casserly, John Hutchinson, Robert Cupoli, Manny Fowler, and Charles Ross

ABSENT: Judy Zoppi AND Mark Fitzgerald

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

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 21, 2018 and by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Greig made a motion to approve the minutes of the February 28, 2019 meeting, which was seconded by Mr. Hutchinson and approved by the following vote:

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

Mr. Greig made a motion to waive the reading and approve the resolution granting approvals to Michael Fradkin, 80 Inlet Terrace, which was seconded by Ms. Casserly and approved by the following vote:

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

Mr. Lisko announced the application for Myron Suseck, 114 9<sup>th</sup> Avenue, has been postponed to April 25, 2019 without further noticing.

Mr. Lisko announced the application of Noel Chapman, 97 13<sup>th</sup> Avenue, has been postponed to May 23, 2019 without further noticing.

Mr. Kennedy announced the application for Thomas Mercadante, 2004 Ocean Avenue, has been postponed due to a notice error. The applicant's attorney will re-notice for a future date.

### MARK LUCKASAVAGE – 310 10<sup>TH</sup> AVENUE

Appearing with Mr. Luckasavage was his wife Dianne Carchesio and attorney George McGill. Mr. McGill stated they are seeking a temporary use variance. Their house was burned down by a fire in 2017 and is under construction. They have been living in a rental down the street since then but need to move out before the summer season because the rent rate is going up. Their finances are tight as they wait for the money from the insurance company. They would like to live in the room attached to their garage until the main house is completed and gets a CO. After they get the CO they would revert the garage back to a storage room and move into the main house.

Mr. Luckasavage stated the room attached to the garage already has heat and air conditioning for his collectables. All he would do would be to add a wall to construct a small bathroom. There would be no kitchen installed. He would like to renovate it cheaply, so it can be easily removed when they move out. He agrees to remove the bathroom once the main house is completed. It will never be a rental.

Mr. Fowler offered condolences for dealing with the fire. Asked if the garage has a fire alarm. Mr. Luckasavage stated it does.

Mr. McGill stated they agree to remove the bathroom and turn it back to a storage room within 30 days of obtaining the CO for the main house. They hope to obtain the CO by no later than December 31, 2019. The Board was amenable to this.

Mr. Cupoli stated he understands what they are going through dealing with the insurance company.

Mr. Greig asked if the main house could get a temporary CO. Mr. Luckasavage stated they aren't that far along.

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Mr. Greig asked if December 31<sup>st</sup> gives them enough time. Mr. Luckasavage would hope to be done by October but maybe a year would be safer. The Board was okay with giving him until March 31, 2020 to obtain the CO.

Mr. Ross asked what the intention of the garage is afterwards. Mr. Luckasavage stated it is for storage. Mr. Ross asked if the garage would need to be fire rated since they are now living in it. Mr. Luckasavage stated it already is.

Ms. Casserly asked if any other variances are needed. Mr. McGill replied no.

Mr. Hutchinson asked if the garage was renovated when the old house was renovated. Mr. Luckasavage stated they had a barn that they renovated and added a two-car garage to.

Public: None

Mr. Fowler stated he is happy to help them as we are all neighbors.

Mr. Cupoli understands they are doing this out of need.

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

Ms. Casserly stated she is sorry for what they have gone through and is happy they want to stay in Belmar.

Mr. Hutchinson and Mr. Lisko stated they are in favor of the application.

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

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

To help speed up the process Mr. Kennedy prepared a resolution in the event the Board approved the application which he read the findings of into the record.

Mr. Cupoli made a motion to approve the resolution, which was seconded by Mr. Hutchinson and approved by the following vote:

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

At approximately 7:58 pm the Board went into executive session to discuss the litigation for 111 10<sup>th</sup> Avenue.

At approximately 8:10 pm the Board reconvened in public session.

Mr. Bianchi stated 1264 Briarwood exceed the scope of work and should be considered new construction now. Ms. Claudio stated the applicant and their architect submitted a letter stating they renovated the house and it is not new construction. The Board decided they wanted to review the letter and then discuss at the April 10<sup>th</sup> meeting. Mr. Kennedy stated the applicants would need to appeal Mr. Bianchi's decision unless the Board felt otherwise.

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