

**ZONING BOARD OF ADJUSTMENT  
JANUARY 28, 2021**

PRESENT: Robert Cupoli, Mark Fitzgerald, Michael Melango, Holly Deitz, Annemarie Drazenovich, Thomas Palmisano, Chuck Ross, John Hutchinson, and John Lisko

ABSENT: Phil Greig and Michael Druz

ALSO, PRESENT: Board Attorney Kevin Kennedy 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 January 4, 2021 by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Kennedy administered the Oath of Office to Mr. Lisko, Mr. Ross, Mr. Palmisano, Ms. Deitz, and Ms. Drazenovich

Mr. Hutchinson nominated Mr. Lisko as Chairman, which was seconded by Mr. Fitzgerald and approved unanimously.

Mr. Melango nominated Mark Fitzgerald as Vice Chairman, which was seconded by Mr. Lisko and approved unanimously.

Workshop Discussion: Regarding the Annual report for 2020. Mr. Lisko would like to see language put in place that would require an applicant to re-notice if their application went beyond two meetings. Mr. Kennedy will amend the bylaws. Mr. Fitzgerald would like to see Mr. Bianchi have authority to approve minor applications which he knows the Board would already approve. Mr. Bianchi suggested as an example, building and impervious coverages under 1% over the allowable amount. He also suggested a three-person committee to review the minor applications.

Mr. Melango made a motion to waive the reading and approve the minutes of the December 17, 2020 meeting, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Melango, Mr. Ross, Mr. Hutchinson and Mr. Lisko

NAYS:

ABSTAIN: Mr. Cupoli and Ms. Deitz

Mr. Cupoli made a motion to waive the reading and approve the resolution appointing a Board Secretary, which was seconded by Mr. Melango and approved by the following vote:

AYES: Mr. Cupoli, Ms. Deitz Mr. Fitzgerald, Mr. Melango, Mr. Ross, Mr. Hutchinson and Mr. Lisko

NAYS:

ABSTAIN:

Mr. Melango made a motion to waive the reading and approve the resolution appointing a Board Attorney, which was seconded by Mr. Ross and approved by the following vote:

AYES: Mr. Cupoli, Ms. Deitz Mr. Fitzgerald, Mr. Melango, Mr. Ross, Mr. Hutchinson and Mr. Lisko

NAYS:

ABSTAIN:

Mr. Fitzgerald made a motion to waive the reading and approve the resolution establishing remote meeting protocol, which was seconded by Mr. Cupoli and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Melango, Mr. Ross, Mr. Hutchinson and Mr. Lisko

NAYS:

ABSTAIN: Mr. Cupoli and Ms. Deitz

**ZONING BOARD OF ADJUSTMENT  
JANUARY 28, 2021**

Mr. Melango made a motion to waive the reading and adopt the resolution granting approvals to Thomas Pimpinelli, 314 14<sup>th</sup> Avenue, which was seconded by Mr. Fitzgerald and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Melango, and Mr. Hutchinson

NAYS:

ABSTAIN: Mr. Cupoli, Mr. Ross, Mr. Lisko and Ms. Deitz

Ms. Claudio stated Roseann Weeden, 315 12<sup>th</sup> Avenue, is still working on resolving a dispute with her neighbor which she would like to resolve before appearing before the Board. Mr. Hutchinson made a motion to carry the application without further noticing to March 25, 2021, which was seconded by Mr. Ross and approved unanimously.

Mr. Kennedy explained the Verizon Wireless application for 1715 Ocean Avenue, is requesting to carry their application without the need for further noticing. Richard DeLucry, attorney for the applicant, stated Verizon Wireless has filed a separate application for the Borough for 5G antennas on the boardwalk. He felt it was the Board's desire that the town make a decision on that application before voting on his client's application. The town has 90 days to review the application submitted to them. Mr. Cupoli made a motion to carry the application to the March 25, 2021 meeting, which was seconded by Mr. Melango and approved unanimously.

TONY ALMEIDA – 419 10<sup>TH</sup> AVENUE

Appearing for this application was Mr. Almeida, attorney William Shippers, engineer Richard DiFolco, and architect Tom Peterson.

Mr. Kennedy marked the following exhibits into the record: A1 application, A2 checklist, A3 minor land use, A4 engineering plans, and A5 architectural plans.

Mr. Shippers stated the property currently has a single structure which is two-family. The proposal is to renovate and expand the structure to make it a single-family home and then construct a garage with a one-bedroom apartment above it.

Mr. Almeida stated he would like to make this his primary home. The existing home has no basement, which is why a garage is needed. He was open to a deed restriction on the garage apartment.

Mr. Shippers submitted additional exhibits of an aerial photo and a photo of the existing home.

Mr. Almeida stated they would be removing the animal house designation and beautifying the intersection.

Mr. Peterson explained the floor plan. The home would have four bedrooms and one bedroom in the garage apartment. The property is a corner lot which is tough to build on because of the two front yard setbacks. He added trim and windows to break up the architectural look of the house, so it fits in with the neighborhood.

Mr. DiFolco stated the variances being requested are for non-conforming use, lot size, frontage, front yard setback for D Street, building coverage, garage height and garage number of stories. There are three parking spaces required and three are proposed. If the garage did not have the apartment above it, it would not be included in the building coverage calculation, which would then make it in compliance. The a/c units will be at the rear of the main house. There will also be an outdoor shower next to the garage. New sidewalks and curbing will be put in as well as a pool with landscaping. Pervious pavers will be used throughout. Electric will be placed underground.

Mr. DiFolco stated the proposal is less dense than what exists. It will still be a two-family, but it will be a primary residence with an accessory dwelling. Mr. Almeida has agreed to only rent the garage apartment as a year-round rental. Mr. DiFolco stated the variances could be granted without detriment to the neighborhood. The occupancy would be decreasing from 10-12 people to 3-4 in the main structure and 1-2 in the rear structure. Parking demand is also reduced. There are only positives to granting the application, no negatives.

**ZONING BOARD OF ADJUSTMENT  
JANUARY 28, 2021**

Mr. Fitzgerald asked if any structural modifications will be made. Mr. Peterson stated they would only be doing so in the areas where they are adding structure. Mr. Fitzgerald asked if more space could be added between the neighbor and the garage since there is a residence above it.

Mr. Shippers agreed to increase the garage side setback from an additional 2 feet.

Mr. Ross asked if five or three parking spaces are required. Ted stated technically 4.5 spaces are required. He also added a variance is needed for the width of the driveway and the paver strips with the grass along the garage must be included in the calculation for impervious coverage. Mr. DiFolco will update the plans to make sure the whole driveway is included in the coverage. It was determined a variance was needed for the width of the driveway and the number of spaces required.

Mr. Melango asked if the ribbon space next to the garage is a parking space. Mr. DiFolco replied yes.

Mr. Hutchinson asked about the sidewalk between the property and the neighboring property. Mr. DiFolco stated there is a sidewalk that runs the length of the property and they will be removing their portion only. Mr. Hutchinson asked about the location of the mechanicals. Mr. Peterson stated they will go in the basement or the attic.

Mr. Cupoli asked how many houses on the block have a garage apartment that was built in the last ten years. Mr. Shippers did not know.

Ms. Drazenovich asked if the D Street trees will be pruned. Mr. DiFolco replied yes.

Mr. Lisko asked how the application is consistent with the Master Plan. Mr. DiFolco stated it is a two family now and will remain as such but in two separate structures. The use is not changing. Mr. Lisko felt the Master Plan was designed to eliminate two families. Mr. DiFolco felt this proposal was a better alternative to what is there now. Mr. Lisko stated it would be less dense without the garage apartment. Mr. DiFolco stated Mr. Almeida would like the rental income from the apartment since he is investing so much money into the property for his family. Mr. Lisko asked if the garage apartment could be eliminated. Mr. Shippers replied no.

At 8:18 p.m. the Board took a brief recess. At 8:31 p.m. the Board reconvened. Roll call was taken. All were still present.

Mr. Shippers confirmed they would agree to deed restrict the garage apartment to year-round rental use only.

Public

Greg Glezman, 409 10<sup>th</sup> Avenue, voiced his support of the application. He had no problem with the garage apartment.

Linda Sharkus, 4<sup>th</sup> Avenue, stated Mr. Peterson did a spectacular job on the plans. It will be an asset to the corner and a win for the applicant and the neighborhood. It would be reducing the nonconformity and the number of people on the property.

Gene Creamer, 4<sup>th</sup> Avenue, asked how many pool gates are proposed. Mr. DiFolco replied one.

Len Cannarozzi, 107 ½ 16<sup>th</sup> Avenue, asked how the sidewalk between the two properties will be cut. Asked if the trees at the southern edge of the property will remain. Mr. DiFolco explained the sidewalk removal and Mr. Shippers stated some trees are dead and may be removed. Mr. Cannarozzi agreed with Mr. Cupoli's concerns but felt the application will be fantastic for the neighborhood.

Ms. Sharkus felt if the application weren't approved then we would be left with an unattractive structure. They are creating a better street view that hides the decrepit building at 415 10<sup>th</sup> Avenue.

**ZONING BOARD OF ADJUSTMENT  
JANUARY 28, 2021**

Board

Mr. Fitzgerald felt he was originally going to vote no on this application but after hearing all of the details and the concessions made, he has changed his mind. The proposal is a less intense use and parking and aesthetics have been improved. He felt the larger view of the Master Plan is to upgrade the town and the positives outweigh the detriments.

Mr. Melango felt it fits in with the neighborhood and is a modest improvement.

Mr. Ross agreed. The situation is being made better. The garage apartment is only 600 square feet too. He appreciated Mr. Almeida making an investment in the property when anyone else might want to keep it a rental property.

Mr. Hutchinson agreed. The improvements outweigh the detriments. He felt part of Belmar's charm is having back houses.

Mr. Cupoli stated the property next door is just like this one and felt the Board would be setting a precedent. He was not comfortable with approving the application.

Ms. Deitz stated it will be an improvement to the neighborhood. Mr. Palmisano agreed.

Ms. Drazenovich shared Mr. Cupoli's concerns. She felt that nearly the entire lot is covered and would not be in favor of the application.

Mr. Lisko stated he is not in favor of the application. He felt it strays from the Master Plan. Felt a rear structure is not in the best interest.

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

AYES: Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Ross, and Mr. Hutchinson

NAYS: Mr. Lisko and Mr. Cupoli

At 9:19 p.m. Mr. Lisko made a motion to go into Executive Session to discuss pending litigation, which was seconded by Ms. Deitz and approved unanimously.

At 9:50 p.m. the Board reconvened after the Executive Session. Mr. Hutchinson made a motion to adjourn the meeting, which was seconded by Mr. Fitzgerald and approved unanimously.