

# ZONING BOARD OF ADJUSTMENT

**JANUARY 27, 2022**

PRESENT: Tom Palmisano, Chuck Ross, Holly Deitz, Mark Fitzgerald, Phil Greig, Annemarie Drazenovich, John Lisko, and Mike Melango

ABSENT: Bob Cupoli and Michael Druz

ALSO, PRESENT: Board Attorney Kevin Kennedy, Zoning Official 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 January 14, 2022 by posting a copy of said notice at the Municipal Complex on the same date.

Oath of Office: Mr. Ross, Mr. Fitzgerald and Mr. Greig

Mr. Greig nominated Mr. Lisko as Chair, which was seconded by Mr. Ross. Ms. Deitz nominated Mr. Fitzgerald as Chair, which was seconded by Mr. Melango. Mr. Fitzgerald was appointed Chair based on the following vote:

Fitzgerald: Ms. Deitz, Mr. Melango, Mr. Palmisano and Mr. Fitzgerald  
Lisko: Mr. Lisko, Mr. Ross and Mr. Greig

Mr. Greig nominated Mr. Ross as Vice Chair, which was seconded by Mr. Lisko and Mr. Fitzgerald nominated Mr. Lisko as Vice Chair, which was seconded by Mr. Ross. Mr. Lisko was appointed Vice Chair based on the following vote:

Lisko: Mr. Ross, Mr. Fitzgerald, Mr. Melango and Mr. Palmisano  
Ross: Mr. Lisko, Mr. Greig and Ms. Deitz

Mr. Melango made a motion to waive the reading and approve the minutes of the December 16, 2021 meeting, which was seconded by Mr. Fitzgerald and approved by the following vote:

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN:

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

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

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. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN:

Ms. Deitz made a motion to waive the reading and approve the resolution establishing remote meeting protocols, which was seconded by Mr. Melango and approved by the following vote:

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

# ZONING BOARD OF ADJUSTMENT

JANUARY 27, 2022

NAYS:

ABSTAIN:

Mr. Melango made a motion to waive the reading and approve the resolution granting approvals to Belmar Legacy LLC, 1206 Ocean Avenue, which was seconded by Ms. Deitz and approved by the following vote:

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN:

Ms. Deitz made a motion to waive the reading and approve the resolution granting approvals to Mark and Emma Spagnuolo, 519 13<sup>th</sup> Avenue, which was seconded by Mr. Melango and approved by the following vote:

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN:

Ms. Claudio stated Alison Gerard, 100 20<sup>th</sup> Avenue, requested her approvals to be extended to June 30, 2023. Mr. Ross made a motion to approve the extension, which was seconded by Mr. Melango and approved by the following vote:

AYES: Mr. Lisko, Mr. Greig, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN: Mr. Fitzgerald

Ms. Claudio stated the application for Booskerdoo coffee, 1012 Main Street is being carried to the March 24, 2022 meeting and the applicants will renote.

## WILLIAM & JODEE STAPLETON – 313 3<sup>RD</sup> AVENUE

Appearing for this application was Mr. Stapleton, his attorney William Shippers, and his engineer Rich DiFolco. Mr. Kennedy explained this application was heard on September 23, 2021 and was carried to allow the applicant a full compliment of Board members. Mr. Fitzgerald and Mr. Greig listened to the meeting and signed affidavits of such. Ms. Claudio pointed out there were only six eligible members to vote this evening. Mr. Kennedy stated Ron Gasiorowski is an objecting attorney who wants to speak on the application. The Board discussed with Mr. Kennedy and Mr. Shippers if they should reopen the hearing or if it was closed at the September meeting. Mr. Fitzgerald felt he and Mr. Greig should have the opportunity to ask questions. Mr. Shippers did not want to proceed without seven board members.

Mr. Melango made a motion to carry the application to the March 24<sup>th</sup> meeting, which was seconded by Mr. Palmisano and approved unanimously.

## FRANCIS & KAREN RAI – 421 12<sup>TH</sup> AVENUE

Appearing for this application was Ryan Rai and his attorney Carlton Kromer. This application was a continuation from the December 16<sup>th</sup> meeting. Mr. Kromer submitted a new survey showing the new location of the generator and the placement of bollards.

Mr. Melango and Ms. Deitz felt it was a better location. Mr. Greig was concerned the generator would be too close to the bollards. Mr. Bianchi stated if the generator is high enough that a car bumper can't hit it then they don't need bollards. Mr. Raia stated it will sit on an 18-inch-thick pad with bumpers. Mr. Bianchi recommended it be 3 feet off the ground and then bollards will not be needed.

# ZONING BOARD OF ADJUSTMENT

**JANUARY 27, 2022**

Public: none

Mr. Melango and Ms. Deitz were happy with the location. Mr. Greig still felt there were better options. Mr. Lisko felt the only benefit is to the homeowner and it could be put in a quieter location. Ms. Drazenovich agreed with Mr. Lisko and Mr. Greig. Mr. Ross stated he wasn't opposed to it. Mr. Ross and Mr. Fitzgerald had no issue with it as long as it meets code.

Mr. Kennedy asked what the setback will be. Mr. Raia stated it is 1 ½ feet.

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

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

NAYS: Mr. Lisko, Mr. Greig and Ms. Drazenovich

ABSTAIN:

At approximately 7:52 pm the Board took a recess. The Board reconvened at 8:00 pm. Roll call was taken; all were still present.

## OCEAN HARBOR APARTMENTS – 805 OCEAN AVENUE

Appearing for this application was attorney Mike Rubino, architect Paul Damiano, planner Allison Coffin, and David Legow.

Mr. Kennedy marked exhibits A1-9. Mr. Melango recused himself as he lives within 200 ft.

Mr. Rubino explained the application was to renovate the interior vestibule to make it flush with the front door, add a handicap ramp in the rear and other renovations. Requesting a variance for a nonconforming use, floor area ratio and impervious coverage. The property sits in two zones, R75 and commercial.

Mr. Damiano explained the renovations to the vestibule. There will be no loss to parking but an actual gain of one spot. There will be a new roof, siding and railings. Mr. Rubino stated there will be no changes to the units.

Mr. Legow explained there has been an increase in deliveries of packages to the residents and that is why they want to enlarge the vestibule. It will make it cleaner and safer.

Ms. Coffin explained the special reasons for granting the variances. The expansions are de minimus, there are no changes to the units, there is no detriment because of the increased FAR, safety for the residents will be improved, and the use is existing.

Public: None

Ms. Drazenovich felt the renovations will be fabulous for the block. The rest of the Board agreed.

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

AYES: Mr. Lisko, Mr. Greig, Mr. Fitzgerald, Ms. Deitz, Mr. Ross, Mr. Melango and Mr. Palmisano

NAYS:

ABSTAIN:

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