

# ZONING BOARD OF ADJUSTMENT

**AUGUST 25, 2022**

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

ABSENT: Mark Fitzgerald

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.

Mr. Greig made a motion to waive the reading and approve the minutes of the July 28, 2022 meeting, which was seconded by Mr. Melango and approved by the following vote:

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

NAYS:

ABSTAIN:

Mr. Greig made a motion to waive the reading and approve the resolution of Robert Bakerian, 203 South Lake Drive, which was seconded by Ms. Deitz and approved by the following vote:

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

NAYS:

ABSTAIN: Ms. Deitz

The resolution approving the application of Edelman Investment Group LLC, 112-114 12<sup>th</sup> Avenue and 108-108 ½ 12<sup>th</sup> Avenue was tabled until the next meeting.

## EDISON ISELIN LLC – 105 13<sup>TH</sup> AVENUE

Appearing for this application was Amad Choudhary and his wife and architects Robert Luntz and Ryan Butler. Exhibits marked: A1 application, A2 minor land use, A3 minor land use denial, A4 plans, and A5 survey.

Mr. Choudhary stated he has owned the property for four years. The property has a single-family home. The proposal is to build a new single family 2 ½ story home. The existing home or cottage is falling down.

Mr. Luntz and Mr. Butler explained the design. The new home will have four bedrooms. There will be a front porch with a covered car port and a second-floor porch with a trellis cover. They submitted A6 and A7 which showed renderings and that parking would be in compliance. Variances requested are for the garage entrance not being 20 feet back, three story definition, and the second-floor porch having a roof. The proposal has a carport not a garage, there will be no door on it. They are willing to move the carport back, so it starts inline with the house instead of the porch. The third floor is a half story but does not meet the definition by ordinance. This is due to them wanting to have a flat roof for solar panels. The porch roof must be open, and it will be semi open with a trellis cover.

Mr. Ross asked about air conditioning units. Mr. Luntz stated they will comply. Mr. Ross asked about water runoff. Mr. Luntz stated they are in compliance with the impervious coverage. Mr. Ross did not particularly like the carport area and it be a collection area for things you would normally have behind closed doors in a garage. Mr. Luntz stated there is a door on the side of the house by the carport that accesses the basement for storage.

Mr. Greig asked what the proposed height would be. Mr. Luntz stated 34.11 feet. He discussed the parapet wall around the half story. He agreed with Mr. Ross about the carport.

Mr. Melango did not like the trellis over the second-floor deck. Ms. Deitz agreed.

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Mr. Lisko asked what's inside the third floor. Mr. Luntz stated it is a sitting room.

The Board agreed the carport wall should be in line with the house not the porch.

Mr. Ross pointed out that the outdoor shower needs a 5 ft. setback.

Public: Joseph Soriano, 107 13<sup>th</sup> Avenue, was concerned about the carport affecting his view although he is happy with a new house going up. Mr. Ross stated they are not seeking a front yard variance and they are moving the wall into compliance.

Mark Presto, 110 13<sup>th</sup> Avenue, stated it is good to see improvements on 13<sup>th</sup> Avenue.

Mr. Choudhary stated he and his wife want to build their dream house. They currently live in Colts Neck and are very clean. There won't be an issue with stuff in the carport.

Board Comments: Mr. Ross stated he is not crazy about the carport but also not sure he would deny the application for it. Mr. Greig stated he has no issue with the trellis. Mr. Druz had no problems with the plans. Mr. Melango stated is not a fan of third floors, wants the trellis removed and wants to see a new set of plans that are more legible. Ms. Deitz and Mr. Palmisano were also concerned about the third floor. Ms. Drazenovich stated she would prefer not to see a flat roof. Mr. Lisko had no issue with the trellis but was also concerned about the flat roof. The Board felt the plans could have been more legible and easier to read.

Mr. Luntz asked if they could carry the application to the next meeting to allow them to make some revisions to the plans.

Mr. Lisko made a motion to carry the application to the September 22<sup>nd</sup> meeting, which was seconded by Mr. Greig and approved unanimously.

### PER-CHRISTIAN & MARIA BREVIG – 207 7<sup>TH</sup> AVENUE

Appearing for this application was Ms. Brevig and her brother/engineer Mike DeBlasio. Exhibits marked: A1 application, A2 minor land use, A3 site plan, A4 survey showing average front yard setbacks, A5 architectural plans, A6 updated site plan, and A7 garage architectural plans.

Ms. Brevig has owned the property for three and a half years. The property has a 1200 square foot one and a half story home with a garage and pool. The home is too small for her family of six. The proposal is to build a new home.

Mr. DeBlasio stated they were going to use the existing foundation but that is no longer feasible after doing a boring test. The new home will be moved to be in compliance with the side yard setbacks. The existing garage needs work and therefore will be moved to comply with the setbacks. Also proposing to add an outdoor shower and a half bath in the garage to make it like a cabana for the pool. Variances are for half bath in the garage, building coverage, impervious coverage, and a/c condenser setback. Originally noticed for a pool setback variance but they moved the rear porch to bring it into compliance. The impervious coverage calculation includes the stones at 100% impervious but the Council is considering an ordinance that would give it a 50% credit which would then reduce their coverage from 70.5% to 66.%. The electric will be underground from the rear of the property. They told the neighbor to the west they would install a sound cover over the a/c units.

Ms. Deitz was unsure about the garage in the bathroom but thought it looked great otherwise. Mr. Melango asked about the pavers. Mr. DeBlasio stated they are taking out the existing and put in new standard pavers. Mr. Greig felt there could be a better location for the a/c units. Mr. Lisko agreed and asked why they couldn't be at the rear of the house. Mr. DeBlasio stated they didn't want them in the outdoor living area. Ms. Drazenovich requested a tree be planted at the sidewalk and curb area. Mr. DeBlasio stated that would be the only tree on that block and it would stand out.

Public: None

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Ms. Drazenovich was unsure about the cabana. Mr. Palmisano liked the plans. Ms. Deitz was also concerned about the half bathroom. Mr. Melango liked the application and felt it fits in with the neighborhood. He was not crazy about the air conditioner location but liked that it would have a cover. Mr. Druz, Mr. Ross and Mr. Greig liked the plans. Mr. Lisko stated he also is not in favor of the air conditioner location but is happy they will work with the neighbor on it.

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

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

At 7:53 pm the Board took a recess. The Board reconvened at 8:00 pm. Roll call was taken. All were still present.

## JOSEPH SCHMIDT & ANNE MOLIGNANO – 219 EIGHTH AVENUE

Appearing for this application was Mr. Schmidt and his architect Paul Amelchenko. Exhibits marked: A1 application, A2 minor land use, A3 average front setback, A4 architectural plans.

Mr. Schmidt has owned the home for three and a half years. It is a single-family home used seasonally. He would like to expand the home and renovate it so he can retire there.

Mr. Amelchenko explained the plans. The home would get a new foundation, the second floor would be rebuilt, a third floor/half story would be added, and the covered porch on B Street would be enclosed. The existing lot is half the size of a normal corner lot.

Variances: B Street setback, lot size, front yard setback, and building coverage. Mr. Bianchi stated a variance is also needed for the driveway width. It was later determined that a parking variance is required because three spaces are required and only two technically exist.

Public: Peter Terranova and Terri Lynch, 800 B Street, questioned how the average front yard setback was calculated. They were disappointed the Board didn't ask more questions. Felt if the owner wanted a bigger home, they should buy a bigger lot.

Jim D'Orio, 217 8<sup>th</sup> Avenue, questioned the gutter on the east roof. It will be 12 inches which is in compliance.

Board Comments: Mr. Ross felt the variances are not being increased much and are minimal. Mr. Greig felt they were not asking for too much. Mr. Druz saw no reason to deny the application. Mr. Melango stated it is a lot of house on a small lot and suggested adding to the back of the house instead of into the front setback. Ms. Deitz stated each street has its own personality and there are challenges with corner lots but this one is small. Mr. Palmisano liked the design. Ms. Drazenovich stated the porch on B Street is there now with a roof and is not extending it any further.

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

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

## 400 OCEAN LLC – 400 OCEAN AVENUE AND 402-408 OCEAN AVENUE

Mr. Druz and Mr. Melango recused themselves from the application.

Appearing for this application was owner Nicola Fuccilli, attorney William Shippers, engineer Douglas Clelland, and architect Richard Tokarski. Mr. Shippers pointed out that there were now only six Board members eligible to vote and he will want to have the full seven.

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Exhibits marked: A1 application, A2 minor land use, A3 site plan, A4 survey, A5 architectural plan, A6 environmental impact statement, A7 Avakian review letter, A8 Insite engineering letter, and A9 photo packet.

Mr. Fuccilli has owned the property at 400 Ocean Avenue for the years and 402 Ocean Avenue for six years. He is the owner/operator of La Dolce Vita restaurant as well. Both buildings have apartments above them. The proposal is to merge the two buildings to one single restaurant on the first floor with an addition to create a commercial kitchen. There will be no changes to the second-floor apartments except for adding a second-floor deck on the 400 building. The bathrooms in the restaurant will become ADA accessible. The existing outdoor seating enclosures will be removed. The occupancy of the restaurant will not be increased.

Mr. Clelland explained the plans and variances. Permeable pavers will be used to replace the existing concrete driveway and stones. He addressed the Borough engineer's review letter. They will remove the two storage sheds. The trash area will have a masonry enclosure and be compliant with the setbacks. Parking is being increased but still requires a variance. Drainage patterns will be greatly improved. The HVAC equipment will be relocated and screened. Electric will be placed underground. Landscaping buffers will be added.

Given the late hour of the meeting, Mr. Shipers requested to continue the application at the next meeting. Mr. Lisko made a motion to carry the application to the September 22<sup>nd</sup> meeting, which was seconded by Ms. Deitz and approved unanimously.

Mr. Druz left the meeting at approximately 9:43 pm, prior to the meeting ending.

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