

Zoning Board Minutes
Regular Meeting- In-person
March 22, 2022

Announcement by the Chairman that the meeting is in compliance with the Open Public Meetings Act, Chapter 231, Public Law 1975. Adequate notice of this meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary.

Board Members in Attendance: Christopher Avallone, Daniel Harris, Jill Potter, Tim Szlyk, Wendi Glassman, Russell Lewis and John Scully

Board Members Absent: Brittany Ashman and Bonnie Nach

Board Members Recused: none

Board Staff: Jack Serpico, Board Attorney; Irina Gasparyan, Board Secretary; Donna Miller, Board Planner; Doug Clelland, Board Engineer

A. Minutes:

1. Minutes of the March 8, 2022 Regular Virtual Meeting

Motion by: Avallone **Second:** Harris

Abstain: Lewis, Scully

All other members vote in favor

B. Resolutions:

1. Dunn et al., 904 Heck Street, Block: 3303 Lot: 16

Motion by: Avallone **Second:** Harris

Abstain: Potter, Scully

All other members vote in favor

C. Applications:

1. **ZB-2020-09**

Ferrie, Robert & Gallagher, Rehanna

1505 Park Avenue, Block: 3602 Lot: 11, R1 Zone

Rear deck w/ d & c variances

Andrew Karas, attorney

Robert Feinstein, licensed architect for applicant

Exhibit A-1 Arch plan last revised 07/12/21

Exhibit A-2 Aerial photos of site dated 03/21/22

No Public questions

Paul Ricci, Licensed planner for applicant

Ricci: non-conforming use so d2 variance, neg criteria – law states should be viewed liberally because non conform exists. Nothing can be done without variances. Sited case law decision.

Harris: where does floor tie into the deck? Main structure?

Donna Miller, Board Planner, sworn in

Doug Clelland, Board Engineer, sworn in

Lewis: what is the min side yard setback

Miller: 6' min on one side, since nothing here its exception

Avallone: wouldn't water collect in yard

Clelland: it could, but this application doesn't meet definition of developments for stormwater regulation. Don't know current runoff but can say that it wouldn't get worse

Karas: site case law- although each application stands on its own can take into account the other similar applications

No public present for comment

Harris: fairly cut/dry not going to disrupt anything, neighbors have a deck

Motion to approve application: Avallone **Second:** Harris

Unanimous Vote

Application APPROVED

Motion for 5 min recess: Avallone **Second:** Potter

All in favor

Roll Call

2. ZB-2020-10

Gallagher, Padraic

1503 Park Avenue, Block: 3602 Lot: 12, R1 Zone

Rear deck w/ d & c variances

Exhibit A-1 Arch plan last revised 07/9/21

Exhibit A-2 Aerial photos of site dated 03/21/22

Feinstein: Overview of conditions and lot, dimensions of proposed deck

Avallone: why the extra 10'

Feinstein: the lot is a little larger than other

Karas: what materials on deck

Feinstein: wood slotted w pea gravel under

Avallone: moving the ac condenser?

Feinstein: moving them a little

Karas: so not getting any closer to side yard, going back to rear yard

Avallone: assume allow water to pass through

Feinstein: yes will be wood w/ openings between

Miller: roof over shower?

Miller: maybe make sure pitch more away. What is the paver depicted on plan?

Feinstein: not sure what material but would be fine making it pervious paver if board wants

No public for questions

Paul Ricci, Licensed planner for applicant

Ricci: for this the variance has changed a little. One thing want to point out- all the individual lots b/c of townhouse developments is reason why need variances. From planning perspective found favorable.

Here over 40% of side yard, this lot is wider than other lots. No detriment, stormwater collected, no known impacts, improvements are largely internalized.

Karas: comments from planner's report

No public for questions

No public present for Public Comment

Motion to approve application: Avallone **Second:** Lewis

All members vote in favor

Application APPROVED

E. **Adjournment:**

Motion to adjourn: Avallone
Meeting adjourned: 8:13 pm

Second: Potter

All in favor