

**BOROUGH OF POINT PLEASANT
ZONING BOARD OF ADJUSTMENT
May 26, 2021**

The regular meeting of the Point Pleasant Zoning Board of Adjustment was called to Order by Chairman Coleman at 7:00 P.M. Mr. Coleman led the Salute to the Flag. He proceeded to open the meeting in compliance with the "Open Public Meetings Act".

Roll Call Vote

Members Present: Mr. Hutchinson Mr. Nikola Mr. Giordano
Mrs. Masterson Ms. Coulson Mr. Veni Mr. Coleman
Mrs. Petrillo Mr. Shrewsberry (arrived 7:15)
Members Absent:
Attorney: Mr. Gertner

Minutes 3-24-2021

A motion to approve the minutes was made by Mr. Giordano, seconded by Mr. Nikola.

Roll Call

Mr. Hutchinson- Yes Mr. Nikola- Yes Mr. Giordano- Yes Mrs. Masterson- Yes
Ms. Coulson- Yes Mr. Veni- Yes Mr. Coleman

Correspondence from Mr. Ceres and Mr. Gertner pertaining to R2T2, LLC.
Mr. Gertner advised the Board that if applicant does not move forward with the application on September 8, 2021, the Board will consider dismissing the case without prejudice, due to lack of prosecution. New notice will be given.

A motion to adjourn the application was made by Mrs. Petrillo, seconded by Mr. Veni.

Roll Call Vote

Mr. Hutchinson- Yes Mr. Nikola- Yes Mrs. Petrillo- Yes Mr. Giordano- Yes
Mrs. Masterson- Yes Ms. Coulson- Yes Mr. Coleman- Yes

Executive Session 6:30pm on June 9, 2021, to discuss the materials that were distributed for Rulipa.

A motion to have an executive session at 6:30pm was made by Ms. Coulson, seconded by Mrs. Masterson.

Roll Call Vote

Mr. Shrewsberry- Yes Mr. Hutchinson- Yes Mr. Nikola- Yes Mrs. Petrillo- Yes
Mr. Giordano- Yes Mrs. Masterson- Yes Mr. Coleman - Yes

New Business/Unfinished Business

21-08- Warga- Block 284 Lot 9- 1852 Beach Blvd- Lot Frontage & Lot Width- Adjourned, new notice will be given.

Mr. Shrewsberry arrived.

21-05 Dietrich- Block 309 Lot 1- 2327 Dellwood Drive- Front Yard Setback

The applicants are looking to construct an addition to their home. Relief is needed for a front yard setback 25' is required, where 15.3' is proposed.

Mr. John Jackson, attorney for the applicant

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A-1- Power Point Presentation 13 pages.

A-2 Six photos of the home.

Chris Aker, architect was sworn in.

Mr. Aker testified the lot is double fronted. The natural front of the property is Dellwood Drive, legal frontage is Pineneedle. The applicants are looking to construct a playroom for their children. Mr. Savacool noted in his letter the fence was also in violation. They would also like the Board to approve the existing 6' fence, which is in place for the safety of the children.

Mrs. Petrillo questioned the access to the playroom; it is separate from the house. She is questioning the function of the room, making sure its not going to be a separate unit.

Mr. Aker replied the access is from the garage. There is no access from the second floor.

Mr. Dietrich, owner was sworn is. They are usually always in the kitchen, close to the access into the playroom.

No public comment or questions.

A motion to approve was made by Mr. Giordano included the fence height of 6', seconded by Mrs. Masterson.

Roll Call Vote

Mr. Shrewsberry- Yes	Mr. Hutchinson- Yes	Mr. Nikola- Yes	Mrs. Petrillo-
Yes	Mr. Giordano- Yes	Mrs. Masterson- Yes	Mr. Coleman- Yes

21-06- Kazimar- Block 15 Lot 4- 204 Jaehnel Parkway- Front Yard Setback, Front Yard Setback Porch & Side Yard Setback (7:33-8:00)

Mr. Shrewsberry recused himself.

The applicant is looking to construct a second story addition. Relief is needed for the following variances:

Front Yard setback- 19.9' proposed, 25' required.

Front Yard setback porch- 13.9', where 25' required.
Side Yard setback – 4.1', where 5' is proposed.

Joshua Kazimar, owner was sworn in.
Christopher Rosati, PE PP, with FHW Associates was sworn in.
A-1 photo
A-2 color rendering
A-3 1st floor
A-4- 2nd floor
A-5 elevations
A-6 Arial photo

Mr. Rosati testified the applicants are going to remove and replace the front porch, gut the first floor for a more open floor plan. The second floor will have 4 bedrooms and 3 full baths. The design is consistent with the neighborhood. Mr. Savacool's letter mentioned fencing, no fencing on the site is owned by the applicant. Any fencing installed by the applicant will comply.

Mr. Giordano questioned the curb. He would like the curb removed, due to the off-street parking.

Mr. Gertner stated the Borough Engineer will look at the plan for pedestrian safety fund and for resolution compliance. The Board can make a recommendation.

Mrs. Petrillo stated there will be a draining plan submitted for review.

No public comment or questions.

Caucus

Mr. Veni likes the plan.
Ms. Coulson likes the plan as well.
Mr. Giordano stated it is a pre-existing non-conforming structure, no detriment. With the condition that the curb be removed or replaced, decided by Municipal engineer.
Mrs. Masterson believes it is an improvement.
Mr. Nikola has no objections; it is an improvement.
Mrs. Petrillo agrees with the Board.

A motion to approve was made by Mrs. Petrillo with above condition, seconded by Mr. Hutchinson.

Roll Call Vote

Mr. Hutchinson- Yes Mr. Nikola- Yes Mrs. Petrillo- Yes Mr. Giordano- Yes
Mrs. Masterson- Yes Ms. Coulson- Yes Mr. Coleman-Yes

21-07-Wysocki- Block 116 Lot 20- 1011 Clayton Ave- Lot Frontage (8:0 – 8:15)

The applicant is looking to construct an addition relief is need for lot frontage, 39.26' where 75' is required.

John Brennan, attorney.

Deborah Wysocki, was sworn in.

Chris Aker, architect was sworn in.

A-1 application

A-2 Plot plan

A-3 Architect drawing

Ms. Wysocki stated this home has been in her family since 1977. The home needs a lot of work. Her grandmother passed away in 2019, but her mother still resides in the home. Her mom wants to stay in the home; therefore, they are looking to improve the home, make it bigger so she can visit her mother with her family of 5.

Mr. Savacool noted an existing variance for lot frontage as well, 17.93' proposed, where 25' is required.

Mr. Aker stated the lot frontage is short due to a jog in the street. They are proposing 2 dry wells. The addition will be more architecturally appealing. There is a small attic with pull downstairs.

No public comment or questions.

A motion to approve was made by Mrs. Masterson, seconded by Mr. Giordano.

Roll Call Vote

Mr. Shrewsberry- Yes

Mr. Hutchinson- Yes

Mr. Nikola- Yes

Mrs. Petrillo- Yes

Mr. Giordano- Yes

Mrs. Masterson- Yes

Mr. Coleman- Yes

Five-minute recess

21-09- Mathis- Block 20 Lot 8- 4 Dunham Lane- Lot Frontage, Lot Width, & Habitable Attic- (8:25-9:20)

The applicant is seeking to construct and addition, install an in-ground pool, patio, and habitable attic. Relief is needed for the following variances:

Lot Frontage- 38' proposed, where 50' required.

Lot Width- 38' proposed, where 50' is required.

Existing side yard 2.85', where 5' is required.

Lot Coverage 61% proposed, where 50% is required.

Habitable attic since all zoning standards, requirements and regulations are not being met.

Mr. Brett Berman, attorney for the applicant. Ms. Mathis currently purchased 4 Dunham Lane, which was built in 1937. She is seeking to modernize the home esthetically and for health reasons such as: building, plumbing and current electric codes. They are proposing a 2 ½ story home, in ground swimming pool, patio and alter the existing garage to accommodate her vehicle.

Joseph DeAmbrose with Arch Design was sworn in.

The foundation needs repair, the insulation needs to be upgraded and they will also be upgrading the frame with 2 x 6 studs. The home was constructed in 1937. The existing deck is going to be replaced with a patio. The 1st floor will be reconfigured with a more open floor plan. The existing family room will be converted to a two- garage. The second floor will consist of 2 bedroom and 2 full baths. They are also proposing habitable attic. There is an existing an existing 6ft basement.

A-1 - Color aerial

A-2 – Front elevation

Anthony Maltese, Professional Engineer, Planner and Surveyor.

A-3 - Plot plan was marked into evidence.

Mr. Maltese went through the plan. They are bumping the front of the home out 2ft for the garage. There is a second story balcony adding to the lot coverage. However, they are bumping in the second story to comply with the side yard setback. The pavers were calculated at 100%, as they were due to be set in concrete. They can be set in sand.

Mr. Giordano questioned the front garage.

Mr. Gertner questioned the declaration for an access easement, allowing 5 Dunham Lane to use the garage.

Mr. Berman stated the access is for 5 Dunham Lane, the applicant does not have access to the garage.

Ms. Mathis, applicant was sworn in. Ms. Mathis explained the owner of 5 Dunham Lane, Kate Gentile uses the garage.

Mr. Savacool stated the applicant's property has an easement that carries a lot of impervious coverage.

Mr. Giordano questioned why the pavers were proposed to be in concrete.

Ms. Mathis agreed to lay them in sand.

Mr. Maltese calculated the lot coverage to be 58.9%, if the pavers are set in sand.

Mrs. Petrillo would like the coverage to be at 50% and the height to be verified.

Caucus

Mr. Coleman stated they are willing to reduce the lot coverage.

Mr. Giordano stated the property is difficult with the easement. They are addressing the impervious coverage and the second floor has been stepped in to meet the setback. If they meet the height and comply with the coverage, he has no problem.

Mrs. Masterson agrees.

Mrs. Petrillo is happy with the amendments.

A motion to approve with the following conditions was made by Mr. Giordano, Seconded by Mrs. Petrillo.

Roll Call Vote

Mr. Shrewsberry- No	Mr. Hutchinson- Yes	Mr. Nikola- Yes	Mrs. Petrillo- Yes
Mr. Giordano- Yes	Mrs. Masterson- Yes	Mr. Coleman- Yes	

21-10- Bernstein- Block 279 Lot 79- 1708 Bay Blvd- Maximum Stories, Rear Yard Setback, Side Yard Setback, Build & Lot Coverage (9:20-10:30)

The applicant is looking to construct an addition on their existing home. Relief is needed from the following variances:

Rear Yard setback kitchen – 18.75, Balcony & Deck 10.83, Master bath 18.50 proposed, where 25' is required.

Side yard- 4.9' proposed, where 5' is required.

Building Coverage- 38.64% proposed, where 30% is required.

Lot Coverage- 63.54% proposed, where 50% is required.

Building Height stories proposed 3, where 2 is required.

John Jackson, attorney for the applicant

Mr. Jackson stated they are basically filling in some of the bump outs, to square off the home.

Most of the variances are in the rear of the home, along the widest portion of the lagoon.

They are over on building coverage; however, the home is set further back than most homes in the area. They are compliant with height. The impervious coverage is over, but it is significantly lower than what currently exists. The home will be FEMA compliant, which is an upgrade and beneficial to the neighborhood. They have 3 adult children, with the possibility of the family growing in the future. They also have an 82-year-old & 88-year-old mothers who will be visiting.

A-1 power point 15 pages

Mr. Johnathan VanOstenbridge, Architect was sworn in.

Mr. VanOstenbridge went through the site plan. The old plan had some angled openings, and they are proposing to square them off. They are significantly reducing impervious coverage.

The 3rd floor area is pushed back so it is not intrusive. The allowed is 500sq ft maximum or 1/3 of the floor plan, they are proposing 999sq ft. The 3rd story will consist of two bedrooms and a bathroom in the 3rd story.

Mr. Giordano question the crawl space below flood elevation.

Hank Gordon, Tekart Builders was sworn in. Mr. Gordon stated it can be filled in.

A-2 Scheme B ½ story

Mr. Jackson introduced an alternate plan that was submitted for the ½ story, complying to 500sq ft.

Mr. Marc Bernstein, applicant was sworn in. They have owned this house for 5 years. Now they are planning to make their home bigger for their 3 children and hopefully future grandchildren.

Public Comment

Mr. Chris Geck, 1704 Bay Blvd. is in favor of the application.

Ms. Karen Moore 1706 Bay Blvd is in favor of the application.

Mr. Jackson thanked the Board. He feels he met the burden for a C-2 variance approval. They are basically filling in some dead space. They are not blocking any views or expanding the footprint. They are going to comply with the 500sqft for the ½ story.

Caucus

Mrs. Petrillo likes the FEMA compliance. The design of the house is attractive. She is happy with the reduction of the ½ story and the overall reduction of the lot coverage.

Mr. Giordano agrees

Mrs. Masterson likes the FEMA and plan B for the ½ story.

Mr. Hutchinson agrees as well.

Mr. Nikola stated it is a nice set of plans.

Mr. Veni is very satisfied with the amendment for the ½ story and the overall reduction of impervious coverage.

Mrs. Coulson agrees.

A motion to approve was made by Mr. Giordano with the 3rd floor amended to a habitable attic, seconded by Mrs. Masterson.

Roll Call Vote

Mr. Shrewsberry- Yes Mr. Hutchinson- Yes Mr. Nikola- Yes Mrs. Petrillo- Yes
Mr. Giordano- Yes Mrs. Masterson- Yes Mr. Coleman- Yes

Mr. Giordano and Ms. Coulson left

21-11- Skudera- Block 279 Lot 20- 1735 Bay Blvd- Deck Height (10:30-10:48)

Deck height in a flood zone is 10ft, proposed 11.67ft

Deck area allowed 200 sq ft, proposed 295ft.

Mr. Lamonica, attorney for the applicant.

Mr. Burdick, PP was sworn in. The applicant is looking to construct a deck off the rear of their home, with a 6” stepdown. Since the home is in the flood zone the home does need to be elevated. The proposed improvement is aesthetically appealing.

Mrs. Petrillo asked why the deck is stepping down.

Mr. Burdick for draining and to minimize the variance approval. They would like the deck height to be 12.13’, flush with the house.

Mr. Lamonica stated Mr. Skudera would like the plan to be amended to be flush with the home.

No public comment or questions.

A motion to approve the deck to be flush with dwelling was made by Mrs. Petrillo, seconded by Mr. Veni.

Roll Call Vote

Mr. Shrewsberry- Yes	Mr. Hutchinson- Yes	Mr. Nikola- Yes
Mrs. Petrillo- Yes	Mrs. Masterson- Yes	Mr. Veni-Yes Mr. Coleman-Yes

The meeting adjourned at 10:30PM, all were in favor.

Respectfully submitted,

Sharon Morgan