

**BOROUGH OF POINT PLEASANT
ZONING BOARD OF ADJUSTMENT
October 12, 2022**

The regular meeting of the Point Pleasant Zoning Board of Adjustment was called to Order by Chairman Coleman at 7:00PM. 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. Shrewsberry Mr. Nikola Mrs. Petrillo Mrs.
Masterson Mr. Nagy Mr. Guetzlaff Mr. Frisina Mr. Coleman Mr. Veni
Members Absent: Mr. Giordano Mrs. Schlapfer
Attorney: Mr. Gertner
Engineer: Mr. Savacool

Resolutions

22-15 Paesano- Block 108 Lot 18- 909 Arnold Ave- Use Variance Bi-furcated- Denied
A motion to memorialize was made by Mrs. Petrillo, seconded by Mr. Nikola.
Mrs. Petrillo- Yes Mr. Nikola-Yes Mrs. Masterson -Yes Mr. Frisina -Yes
Mr. Coleman- Yes

22-20- Nelson- Block 12 Lot 7 – 211 Passaic Avenue- Lot Area, Front Yard & Side Yard
22-21- Petrole- Block 216 Lot 1- 3126 Powhatan Avenue- Building Coverage

A motion to memorialize was made by Mr. Nikola, seconded by Mr. Veni.

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

Unfinished Business/New Business

22-22- Goode- Block 363 Lot 10- 1607 Osprey Court- Side Yard Setback

The applicants are seeking to install a generator within the side yard setback.

Donna & Robert Goode were sworn in. Mr. Goode testified they are looking to construct a generator within the side yard. They have been working from home and when the power goes out, they cannot work. They have sump pump in their crawl space, which also needs to run. The neighbor’s house is approximately 6’ away. They do not have any windows on that side of their home. Also, the adjacent neighbor has their air conditioning and pool equipment is located on the same side as the proposed generator. The other side of the house is the walkway and the neighbor’s walkway. The generator will be 18’ off the side yard setback.

Mr. Coleman questioned the setback requirements for the generator from the dwelling.

Mr. Savacool generally a generator is 18-24’ off the dwelling.

Mr. Goode stated the generator will also be encroaching 18” into the front yard setback.

Mr. Savacool stated the side yard setback is 5.3'. Based on the testimony and further reviewing the plan, a front yard setback is required for the 18" into the front yard.

Mr. Coleman reiterated the Board, should the application be approved, would be granting two variances, front-yard, and side-yard.

A motion to approve was made Mr. Nikola, seconded by Mr. Veni.

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

22-19- Tokarski- Block 356 Lot 34- 1880 Northwest Drive- Rear Yard Setback

The applicant is seeking to construct an addition on their existing home.

Ms. Jilian McLeer, attorney for the applicant.

A-1 Power Point 21 pages

Ms. McLeer stated this is a unique property, bordered by water on two side and the home sits on a cul-de-sac The home is going to be constructed within the same footprint of the existing footprint.

Richard Tokarski, architect was sworn in. Mr. Tokarski stated that not only was this a redesign project, but it is also his brother's home. The existing house is unusual in shape and topography. They are proposing an addition to create updated aesthetically pleasing home with additional living space and a habitable attic. They are proposing eight bedrooms with seven bathrooms. They will meet base flood elevations. They are currently in the process of installing an inground pool. The overall final square footage of the home will be five thousand- five hundred- sixty-one (5561). They meet the criteria for RSIS parking requirements. Mr. Tokarski went through the bulk variances.

- a) Minimum side yard setback required for the principal structure is 7.5', whereas 5.1' exists along the western property line.
- b) Minimum rear yard setback required for the principal structure is 25', whereas 14.2' exists along the eastern property line bordering South Lagoon.
- c) The minimum rear yard setback required for an accessory structure is 5', whereas 1.8' exists to the deck along the eastern property line bordering South Lagoon.
- d) The minimum rear yard setback required for the principal structure is 25' whereas 12.7' is proposed to the addition along the eastern property line bordering South Lagoon.
- e) The maximum square feet of the deck in a Flood Zone shall not exceed 200SF, whereas 590SF is proposed for the new elevated deck along the South Lagoon lot line.
- f) The minimum rear yard setback of the elevated deck in a flood zone shall be 15' whereas 1.8' is proposed from the new elevated deck and new stairs to the South Lagoon rear lot line.

- g) The minimum side yard setback required for the principal structure is 7.5', where 5.1' exists along the western property line where the roof line will be expanded aggravating the non-conformity.
- h) Slope of habitable attic roof 1 1/2" on 12", whereas 6" on 12" is required.

Mrs. Masterson is questioning the drainage since the pool was not on the property. Are drywells being proposing?

Michael B Intele, PP, PE Crest Engineering in Toms River. Mr. Intele stated the coverage may look larger, but according to the ordinance, it is not. This is a renovation, not a new home. Yes, they will consider dry wells.

Ms. McLeer questioned where the pool equipment was going to be installed.

Mr. Tokarski stated the pool equipment is going to be located 5.2ft from the side yard setback, where 7.5' is required.

Mrs. Masterson questioned why was house designed that is so different from the neighborhood.

Mr. Tokarski replied that is what his brother and sister- in -law wanted. They also used a lot of features to soften the look of the home. The design of the house is a modern contemporary beach house. People are entitled to build what they want to build. It does meet the content of the ordinance.

Ms. McLeer questioned if the shape of the lot and the geometric shape of the home is a hardship.

Mr. Tokarski stated yes. He believes they came up with a gem from and ugly duck. This design meets the best use for the property. It will be a nice addition to the neighborhood. This proposal fits in well with the development of the neighborhood. The neighborhood is very diverse. They will agree to all conditions in Mr. Savacool's review letter, including the revised pitch of the building if necessary.

Mr. Savacool stated the half story must have a 5 on 12 roof pitch.

Public questions or comments.

Dr. Richard Gross, Bay Isle Drive, objector specifically water safety.

Mr. Intele stated that the construction occurring at the corner is a pool and a lower deck. The grade below the deck is 4.8' The triangle area that is not developed is at 4.6'. They are also proposing cable railings, which will enhance the view. There is an existing boat lift and a jet ski dock.

Mr. Gertner suggested a conservation easement, sight triangle in the undeveloped area.

Ms. McLeer stated they would agree to keeping the landscaping very low and sight triangle.

Caucus

Mrs. Masterson would like to restrict what could be placed in the triangle.

Mrs. Petrillo stated they are punishing the owners for the boating world. She is in favor of the site triangle, not dedicating what can or cannot go there.

Mr. Nagy stated he loves this design, and this home would sell very fast.

Mr. Shrewsberry is not favor of the habitable attic.

Mr. Frisina stated his grandparents used to own the home across the lagoon and they did not like the look of the existing house. Most houses in the area are about 3500sq feet. He agrees the corner is troublesome. He likes the new design and is in favor of the application.

Mr. Nikola likes the plan. He agrees with the sight triangle.

Mrs. Petrillo stated it is a stunning plan. She also agrees with the sight triangle.

Mr. Coleman stated he likes Mr. Frisina point. What is existing may have looked great at one time, not today. He believes it is an upscale plan and he likes it. This is a single-family home, and the town has restrictions against Airbnb's. He is in favor.

Mr. Savacool the pedestrian safety fund is not applicable.

A motion to approve was made by Mr. Nikola, drywells, and site triangle, deck should have cable rails seconded by Mr. Nagy.

Roll Call Vote

Mr. Shrewsberry- No

Mr. Nikola- Yes

Mrs. Petrillo- Yes

Mrs. Masterson- No

Mr. Veni- No

Mr. Nagy- Yes Mr. Coleman- Yes

The meeting adjourned at 8:36PM, all were in favor.

Respectfully submitted,

Sharon Morgan
Board Secretary