

ZONING BOARD OF ADJUSTMENT

TOWNSHIP OF TOMS RIVER

SEPTEMBER 10, 2009 AGENDA

REGULAR MEETING – 7:30 p.m.

1. **MEETING CALLED TO ORDER**
2. **FLAG SALUTE**
3. **CHAIRMAN'S STATEMENT - OPEN PUBLIC MEETINGS ACT**
4. **ROLL CALL AND DECLARATION OF QUORUM**

JEANNETTE AMORUSO	_____	RODEN LIGHTBODY	_____
ART BLANK	_____	LINDA STEFANIK	_____
HEATHER MOFFITT	_____	ROBERT ALSTON	_____
LYNN R. O'TOOLE	_____		

ALTERNATES:

ERNEST COLAVITO (ALT#1)	_____
NELS LUTHMAN (ALT#2)	_____

5. **RULES & REGULATIONS GOVERNING THE MEETING**
6. **ANNOUNCEMENTS**
7. **APPROVAL OF GENERAL VOUCHERS FOR PAYMENT**
 - A. General Voucher for Kim A. Pascarella, Esq.
8. **APPROVAL OF ESCROW VOUCHERS FOR PAYMENT**
 - A. Escrow Vouchers for Kim Pascarella, Esq.
 - B. Escrow Vouchers for Owen, Little & Associates
 - C. Escrow Voucher for Twp. of Toms River, Jay Lynch, Twp. for Nobility Crest and Laura Matarazzo
 - D. Escrow Voucher for Dr. Bruce Eisenstein, Ph.D.

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9. APPROVAL OF ESCROW REFUND VOUCHERS

- A. Refund voucher for G.M.Polizzano, Block:992, Lot:202
- B. Refund voucher for Wlodzimierz Jezek Block: 944.28, Lot 28.19
- C. Refund voucher for Barry Wiegmann, Block 1105.25, Lots 20, 21
- D. Refund voucher for Ocean Ventures, Inc. Block 724.22, Lot 7
- E. Refund voucher for George Pollizzano, Block 1000, Lot 276.01
- F. Refund voucher for Arthur & Maria Pereira, Block 172, Lot 21.03
- G. Refund voucher for Pat DeFalco, Block 1000, Lot 6
- H. Refund voucher for Helen Mazzo, Block 1076.12, Lots 107 & 108
- I. Refund voucher for Richard Ramirez, Block 538, Lot 59
- J. Refund voucher for Bob Aromando, Block 296, Lot 1

10. MINUTES OF THE MEETING

- A. Board of Adjustment minutes for meeting of April 23, 2009 and meeting of May 28, 2009

12. RESOLUTIONS OF APPROVAL

13. BOARD ACTION ON APPLICATION

14. PUBLIC COMMENT

15. ADJOURNMENT

RESOLUTIONS OF APPROVAL

- A. Laura A. Matarazzo--225 Melody Lane- Block 941.01, Lots 25 & 25.01, Appeal #12862 –Bulk Variance - Approved
- B. Frederick & Patricia Baumann, -117 West Albacore Way - Block 1109.17, Lot 5, Appeal #12863 –Bulk Variances - Approved
- C. TBK Properties, LLC. –200 Corporate Circle- Block 473, Lot 4 Appeal #12857–Amended Minor Site Plan– Approved
- D. Craig & Constance McKee – 352 Silver Bay Road, Block 297.02, Lot 21, Appeal #12866 – Bulk Variances -Approved

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PENDING APPLICATIONS

APPEAL #12865 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD – CARRIED FROM AUGUST 13, 2009 FOR DEFICIENT NOTICE

- | | | |
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| 1. | Joseph & Maria Belgiovene
5 Curaco Avenue
Zone: R-75
November 3, 2009 | Block: 1500.04
Lots: 4,5,6

ESCROW ACCT.#X-23—B00-859 |
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Applicant proposes construction of a garage building addition and installation of an in-ground pool

Min. Side Setback	-8' required -.92" proposed
Min. Combined Side Setback	-20' required -18.32' proposed
Min. Pool Rear Setback	-10' required -5.0' proposed
Structure to Pool Offset	-8' required -7.0' proposed
Structure to Water Offset	-20' required -7.0' proposed

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APPEAL #12870 –USE & BULK VARIANCES– PUBLIC HEARING OPEN –
TESTIMONY HEARD – CARRIED FROM AUGUST 13, 2009 FOR SITE INSPECTION

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| 2. | Swoops, LLC c/o Brian Woop
12 Eighth Avenue
Zone: R-40B
November 4, 2009 | Block: 1031
Lots: 21
Dina M. Vicari, Esq.
ESCROW ACCT.#X-23—B00-864 |
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Applicant proposes expansion of a pre-existing nonconforming use. Specifically, the two (2) single family dwelling previously constructed on the site represent a pre-existing nonconforming use. The applicant proposes expansion of the single family residential dwelling adjacent to Eight Avenue.

Use Variance	-2- Family Dwelling required -2 Single Family Dwellings proposed
Min. Lot Area.	-6000 SF required -5000 SF proposed
Min. Lot Width	-60' required -50' proposed
Min. Front Setback	-18.1' required -13.3' proposed
Min Rear Setback	-20' required -7.8' proposed
Min. Side Setback	-4' required -3.4' proposed
Min. Combined Side Setback	-12' required -7.4' proposed
Max. Lot Coverage	-34% required -37.3% proposed

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APPEAL #12864 – BULK VARIANCE – PUBLIC HEARING OPEN – TESTIMONY
HEARD – CARRIED FROM AUGUST 13, 2009 FOR SITE INSPECTION

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| 3. | Dominick & Sylvia Pugliese
1821 Windward Court
Zone: R-75
November 4, 2009 | Block: 1462.13
Lots: 17
Ross D. Gertner, Esq.
ESCROW ACCT.#X-23—B00-858 |
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Applicant proposes construction of a covered porch and garage expansion building additions to the existing single family residential dwelling. The applicant also proposes to install/construct a 96 SF accessory shed structure within a front yard setback area.

Min. Front Setback	-25' required -18.56" proposed
Min. Rear Setback	-20' required -18.21' proposed
Min. Side Setback	-8' required -5.04' proposed
Max. Lot Coverage	-30% required -33.5% proposed
Min. Accessory Front Setback	-25' required -4.7' proposed
Min. Structure to Water Offset	-20' required -6.5' proposed
Min. A/C Side Setback	-4' required -1.5' proposed

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NEW APPLICATIONS

APPLICANT ADDRESS ZONE DATE OF EXPIRATION	BLOCK LOT ATTORNEY (if applicable) Brief Description
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APPEAL #12874 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

4.	Christopher Howe 22 Admiral Ave Zone: R-50 November 27, 2009	Block: 706.06 Lots: 19 & 20 ESCROW ACCT.#x-23—B00-868
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Applicant proposes reconstruction of an existing single family dwelling.

Min. Lot Frontage	-90' required -81.54' (West End) proposed
Min. Lot Depth	-100' required -81.54' proposed
Min. Front Setback	-25' required -2.5' proposed
Min. Accessory Front Setback	-25' required - 13.5' proposed
Min. Accessory Side Setback	-5.0' required -0.5" proposed

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APPEAL #12867 – PRELIMINARY & FINAL MAJOR SITE PLAN– PUBLIC HEARING OPEN – NO TESTIMONY HEARD

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| 7. | Community Medical Center
400 Lakehurst Road
Zone: VO
November 14, 2009 | Block: 535.04
Lots: 11-15
Joseph D. Coronato, Esq.
ESCROW ACCT.#X-23—B00-861 |
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The applicant seeks Preliminary and Final Major Site Plan approval associated with the construction of a 18,200 SF two-story medical office building. The developmental proposal will also involve a new two-story driveway connection to Stockton Drive, off-street parking, lighting and landscaping, stormwater management and all typical site plan development improvements.

APPEAL #12873 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

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| 8. | Amy W. Lotano
9 Central Avenue
Zone: R-120
November 26, 2009 | Block: 686
Lot: 209.01
Harvey L. York, Esq.
ESCROW ACCT.#X-23—B00-867 |
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Applicant proposes reconstruction of an existing pool cabana accessory structure and expansion of an existing detached garage

Max. Accessory Floor Area	-750 SF required -.1303.2 SF (Cabana) proposed
Max. Accessory Floor Area	-750 SF required -.1303.2 SF (Garage) proposed
Max. Total Floor Area All Accessory Structures	-1000 SF required -2215.2 SF proposed

APPEAL #12871 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

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| 9. | Michael Maybaum
31 Sand Dune Lane
Zone: R-40A
November 28, 2009 | Block: 921.13
Lot: 11
Harvey L. York, Esq.
ESCROW ACCT.#X-23—B00-865 |
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Applicant proposes removal and reconstruction of a single family residential dwelling

Min .Lot Frontage	-40' required -.31.42' proposed
Min. Lot Depth	-100' required -.80' proposed
Min Rear Setback	-20' required -7.3' proposed

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APPEAL #12878 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

10.	Steven & Eileen Vecchio 4 Sandy Lane Zone: R-75 December 11, 2009	Block: 724.17 Lots: 71, 309, 309.01 ESCROW ACCT.#X-23—B00-872
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Applicant proposes removal and reconstruction of a single family residential dwelling

Min .Front Setback	-25' required -6.0' proposed
Min. Side Yard Setback	-8' required -5.1' proposed
Min Comb Side Yard Setback	-20' required -10.6' proposed

APPEAL #12879 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

11.	William Hanley, Jr. 185 Riverwood Drive Zone: RR December 23, 2009	Block: 171 Lot: 33 Harvey L. York, Esq. ESCROW ACCT.#X-23—B00-873
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Applicant proposes removal and reconstruction of a single family residential dwelling

Min. Lot Area	-43,560 SF required -.39,158 SF proposed
Min. Lot Width	-150' required -.148.88 proposed

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For special accommodations, please call (732)341-1000, ext. 8259