

**ZONING BOARD OF ADJUSTMENT**

**TOWNSHIP OF TOMS RIVER**

**JANUARY 10, 2019 AGENDA**

**REGULAR MEETING – 6:30 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**

JASON CRISPIN	_____	JOSEPH KEMPKER	_____
ART BLANK	_____	RICHARD TUTELA	_____
GUS KAKAVAS	_____	ROBERT ALSTON	_____
LYNN R. O'TOOLE	_____		

**ALTERNATES:**

NELS LUTHMAN (ALT#1)	_____
TONY FONTANA (ALT#2)	_____
RICHARD ANGIOLETTI (ALT #3)	_____

5. **EXECUTIVE SESSION**
6. **REORGANIZATION OF BOARD OFFICERS**
  - a) Election of Chairperson of the Board
  - b) Election of Vice Chairperson of the Board
  - c) Election of Secretary of the Board
  - d) Election of Chairperson of the Plans Committee
  - e) Election of Vice Chairperson of the Plans Committee
7. **APPOINTMENT OF ZONING BOARD ATTORNEY, ZONING BOARD ENGINEER, ZONING BOARD COURT TRANSCRIBER, ZONING BOARD CONFLICT ATTORNEY, ZONING BOARD CONFLICT PLANNER, ASSISTANT ZONING BOARD SECRETARY, ZONING BOARD PLANNER & ASSISTANT ZONING BOARD PLANNER**

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**8. APPROVAL OF GENERAL VOUCHERS FOR PAYMENT**

- A. General Voucher for Dasti, Murphy, McGuckin, et als
- B. General Voucher for Owen, Little & Associates
- C. General Voucher for Cole Transcription, LLC

**9. APPROVAL OF ESCROW VOUCHERS FOR PAYMENT**

- A. Escrow Vouchers for Hiering, Gannon & McKenna
- B. Escrow Voucher for Owen, Little & Associates.

**10. MINUTES OF THE MEETING**

- A. Board of Adjustment minutes for the Regular Meetings of October 11<sup>th</sup>, October 25, 2018, November 8<sup>th</sup> and November 15, 2018

**11. RESOLUTIONS OF APPROVAL**

**12. BOARD ACTION ON APPLICATION**

**13. PUBLIC COMMENT**

**14. ADJOURNMENT**

**RESOLUTIONS OF APPROVAL**

- 1. Rodrigo Cajaio –633 Batchelor Street-Block 691.01, Lot 53, Appeal #13586 – Bulk Variances-Approved
- 2. Manuel Goncalves –2508 Matso Drive--Block 724.25, Lot 1, Appeal #13583 – Bulk Variance -Approved
- 3. St. Mary of the Lake –70 Honey Locust Drive--Block 145, Lot 9, Appeal #13561 –Use Variance (D2), Minor Subdivision & Bulk Variance for Fence -Approved

**RESOLUTION OF TOMS RIVER BOARD OF ADJUSTMENT CONFIRMING THAT THE ZONING BOARD OF ADJUSTMENT DOES NOT HAVE JURISDICSTION TO HEAR ( D1) VARIANCE RELIEF**

- 4. St. Mary of the Lake –70 Honey Locust Drive--Block 145, Lot 9, Appeal #13561 –Use Variance (D1) –Toms River Zoning Board does not have jurisdiction

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**NEW APPLICATIONS**

APPEAL #13590– BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |  |   |
|----|--|---|
| 1. | Anthony & Denise DeRosa<br>3204 Osborn Terrace<br>Zone: R-50<br>March 30, 2019 | Block: 1108.12<br>Lots: 56-59<br>.<br>ESCROW ACCT# X-23—B01-592 |
|----|--|---|

The applicant proposes to install a 14' x 24' in-ground pool.

Pool, Front Yard Setback	-25' required -15' existing
6' Solid Fence, Front Yard Setback	-25' required -6' proposed
Pool Equipment	-25' required -23.8' proposed

APPEAL #13589 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |  |   |
|----|--|---|
| 2. | Kevin & Ashley Johns<br>307 Pompano Court<br>Zone: R-40A<br>March 30, 2019 | Block: 1946.04<br>Lot: 10<br>Stephan R. Leone , Esq.<br>ESCROW ACCT# X-23—B01-591 |
|----|--|---|

Applicant is requesting to construct an irregularly shaped pool of approximately 30' in its longest dimension and 18' in its widest dimension.

Pool, Rear Yard Setback	-8' required -6' proposed
Pool, Setback from Fence	-6' required -4' +/- (scaled) proposed

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APPEAL #13579 – USE (D1) VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |   |   |
|----|---|---|
| 3. | Sait Aydin, Bandwagon<br>Restaurant<br>2500 Route 37 East/<br>2 Martin Road<br>Zone: HB & R-40A | Block: 794.02<br>Lots: 1-6, 16 & 17<br>Edward Bezdecki, Esq.<br>ESCROW ACCT# X-23—B01-581 |
|----|---|---|

Applicant proposes to demolish an existing one-story restaurant situated 14.4 ft. from Martin Road and 29.4 ft. from Route 37 East and replace it with a new restaurant situated in the center of the parcel where it is a permitted use, but with parking in the front and sides of the HB zone portion of the parcel and additional parking and a storm water management basin on Block 2, Lots 16, 17 in the R-40 A zone where commercial parking and site improvements are prohibited.

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