

ZONING BOARD OF ADJUSTMENT

TOWNSHIP OF TOMS RIVER

JANUARY 24, 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. **APPROVAL OF GENERAL VOUCHERS FOR PAYMENT**
 - A. General Voucher for Dasti, Murphy, McGuckin, et als
 - B. General Voucher for Cole Transcription, LLC
- 6. **APPROVAL OF ESCROW VOUCHERS FOR PAYMENT**
 - A. Escrow Voucher for Hiering, Gannon & McKenna
 - B. Escrow Voucher for Dasti, Murphy, McGuckin, et als
 - C. Escrow Voucher for Owen, Little & Associates, Inc.
 - D. Escrow Voucher for Remington & Vernick Engineers
 - E. Escrow Voucher for Twp. of Toms River Current Fund for Dave Roberts, Twp. & BOA Planner
- 7. **ESCROW REFUND VOUCHERS**
 - A. Refund voucher for Robert Parker, Block 586 Lot 273.03

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JANUARY 24, 2019**

- 8. RESOLUTIONS OF APPROVAL**
- 9. BOARD ACTION ON APPLICATION**
- 10. PUBLIC COMMENT**
- 11. ADJOURNMENT**

RESOLUTIONS OF APPROVAL

- 1. Anthony DeRosa –3204 Osborn Terrace-Block 1108.12, Lots 56-59 , Appeal #13590 –Bulk Variances-Approved
- 2. Kevin & Ashley Johns –307 Pompano Court--Block 1946.04, Lot 10, Appeal #13589 – Bulk Variance -Approved
- 3. Sait Aydin/Bandwagon Restaurant –2500 Route 37 East/2 Martin Road--Block 794.02, Lots 1-6, 16 & 17 –Use Variance (D1) -Approved

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BOARD OF ADJUSTMENT
JANUARY 24, 2019**

BOARD RESOLUTIONS

1. Resolution/Agreement of the Toms River Zoning Board of Adjustment memorializing the appointment of Gregory P. McGuckin, Esq., and the Law Firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as Zoning Board of Adjustment Attorney for the period of January 1, 2019 to December 31, 2019.
2. Resolution/Agreement of the Toms River Zoning Board of Adjustment memorializing the appointment of Doug Klee, P.E., and the Firm of Owen, Little & Associates as Zoning Board of Adjustment Engineer for the period of January 1, 2019 to December 31, 2019.
3. Resolution/Agreement of the Toms River Zoning Board of Adjustment memorializing the appointment of Thomas G. Gannon and the Law Firm of Hierung, Gannon & McKenna as Zoning Board of Adjustment Conflict Attorneys for the period of January 1, 2019 to December 31, 2019.
4. Resolution/Agreement of the Toms River Zoning Board of Adjustment memorializing the appointment of Remington & Vernick as Zoning Board of Adjustment Conflict Planners for the period of January 1, 2019 to December 31, 2019.
5. Resolution of the Toms River Zoning Board of Adjustment memorializing the appointment of Cole Transcription, LLC as Zoning Board of Adjustment Court Transcriber for the period of January 1, 2019 to December 31, 2019.
6. Resolution of the Zoning Board of Adjustment memorializing the Election of Officers for the Year of 2019.
7. Resolution of the Zoning Board of Adjustment memorializing the Appointment of David Roberts, P.P., as the Zoning Board of Adjustment Planner and Erika Stahl, P.P., as the Assistant Zoning Board of Adjustment Planner for the Period of January 1, 2019 to December 31, 2019.

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PLANS MEETING

APPEAL #13555– ADMINISTRATIVE APPROVAL- PUBLIC NOTICE NOT
REQUIRED- PUBLIC HEARING OPEN – NO TESTIMONY HEARD

1. Benjamin & Rosemarie Caturano Block 950.11
38 Plainfield Avenue Lot: 3.01
Zone: R-40B Michelle R. Donato, Esq.

Applicant is before the committee to request an administrative approval for a change in the Resolution of Approval memorialized on June 21, 2018 regarding satisfaction of the Board's request that the applicant supply a cross access easement for resolution compliance.

NEW APPLICATIONS

APPEAL #13585 – USE (D1) VARIANCE & MINOR SITE PLAN – PUBLIC HEARING
OPEN – NO TESTIMONY HEARD

2. Bank of America Block: 724.34
811 Fisher Blvd Lot: 41
Zone: HB Scott G. Collins, Esq.
February 16, 2019 ESCROW ACCT# X-23—B01-587

The Applicant seeks Use Variance & Minor Site Plan approval associates with establishing a Bank of America ATM Drive Thru Facility on the site. An ATM independent from any associated bank on the same property was determined to be not permitted. An ATM structure in a parking lot of a bank would be necessary to the bank and there is no Bank of America on the subject premises and the kiosk is proposed on the site of the property where there is a Rite Aid Pharmacy so therefore a D(1) Variance is required.

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APPEAL #13591– BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

<p>3. Michael & Jennifer Campion 50 Second Avenue Zone: R-40A April 6, 2019</p>	<p>Block: 913 Lots: 30, 32, 34 Melanie Szuba Appleby, Esq. ESCROW ACCT# X-23—B01-593</p>
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The applicant proposes to expand a wood porch on the front of the dwelling closest to Second Avenue and construct an in-ground pool.

Front Yard Setback	-11.68' required (prevailing)
Setback	-2.7'(Unit A) proposed
Pool Equipment	-10' required
	-4.86' proposed
Pool Setback –Fence	-6' required
	-4' proposed

APPEAL #13592– BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

<p>4. Joseph Montalban 10 Mapletree Road Zone: R-120 April 23, 2019</p>	<p>Block: 571.07 Lot: 80 Melanie Szuba Appleby, Esq. ESCROW ACCT# X-23—B01-594</p>
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The applicant proposes to construct an addition to the rear of an existing single family dwelling and to validate an existing non-conforming detached garage and to legitimize two non-conforming sheds and a covered bar.

Sheds-Separation	-5 required
	-1' existing (scaled)
Carport/Garage Separation	-5' required
	-3' existing (scaled)
Detached Garage, Side Yard	-10' required
	-5.71' existing
Fence from Pool	-6' required
	-4' existing (scaled)
Max Size Accessory Bldg	-750 SF required
	-1,528 SF existing
Max. Size –Total Accessory Bldgs	-1,000 SF required
	-2,422 SF existing

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APPEAL #13588 – USE (D1) VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

5.	Luis Marchard 784 Fischer Blvd Zone: VO March 30, 2019	Block: 400.01 Lot: 10 Robert Santangelo, Esq. ESCROW ACCT# X-23—B01-590
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Applicant is proposing to construct a second story building addition over an existing one story single family dwelling and convert the enlarged dwelling into a two-family dwelling consisting of two three bedroom dwelling units.

APPEAL #13593 – CONDITIONAL USE (D3) VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

6.	Charles Grinnell 9 Third Avenue Zone: R-40E April 30, 2019	Block: 1011 Lot: 149 Joseph Coronato, Esq. ESCROW ACCT# X-23—B01-595
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Applicant is proposing to construct an elevated two family dwelling.

Min. Lot Width	-60' required -50' proposed
Min. Lot Frontage	-60' required -50' proposed
Max. Impervious Coverage	-4,650 SF required -4,880 SF proposed

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