

**ZONING BOARD OF ADJUSTMENT**

**TOWNSHIP OF TOMS RIVER**

**JUNE 24, 2021 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	_____
ROBERT ALSTON	_____	ANTHONY FONTANA	_____
LYNN R. O'TOOLE	_____		

**ALTERNATES:**

NELS LUTHMAN (ALT#1)	_____
ANTHONY COLUCCI (ALT #2)	_____
RICHARD ANGIOLETTI (ALT #3)	_____
MATTHEW YEZZI (ALT #4)	_____

- 5. APPROVAL OF GENERAL VOUCHERS FOR PAYMENT**
  - A. General Vouchers for Cole Transcription, LLC
- 6. APPROVAL OF ESCROW VOUCHERS FOR PAYMENT**
  - A. Escrow Voucher for Hierung, Dupignac & Stanzione, et al
  - B. Escrow Voucher for Remington & Vernick Engineers Inc.
  - C. Escrow Voucher for Asst. Twp. & Asst. ZBOA Planner for Twp. of Toms River Current Fund for Robert Hudak. P.P.
- 7. ESCROW REFUND VOUCHERS**
  - A. Refund voucher for Reinaldo Gomez, Block 1108.31, Lot 28

**REGULAR MEETING TOWNSHIP OF TOMS RIVER  
BOARD OF ADJUSTMENT  
JUNE 24, 2021**

**8. MINUTES OF THE MEETING**

A. Board of Adjustment minutes for the Regular Meeting of April 8, 2021

**9. RESOLUTIONS OF APPROVAL**

**10. BOARD ACTION ON APPLICATION**

**11. PUBLIC COMMENT**

**12. ADJOURNMENT**

**RESOLUTIONS OF APPROVAL**

1. Roguerio Paul Lancha– 46 Pilot Road, Block 235.26, Lot 47, Appeal #13725- Bulk Variance-Approved
2. Edgar & Paige McLaughlin– 3566 Ocean Terrace, Block 921.15, Lot 1, Appeal #13727- (D4) F.A.R Variance-Approved
3. Steven & Gina Vorrius– 45 Florence Court, Block 442.19, Lot 6, Appeal #13724- Bulk Variance-Approved
4. Jersey Shore United c/o Barry Moll– 1563 Old Freehold Road, Block 393, Lot 15, Appeal #13713- Use (D2) Variance-Approved

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**NEW APPLICATIONS**

APPEAL #13728 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

1. Adriano Parga, Jr. Block: 1094.02  
516 Lafayette Ave Lot: 16  
Zone: R-50  
September 11, 2021 ESCROW ACCT# X-23—B01-728

Applicant proposes to seek approval in install a new fence in the front yard of the subject property.

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|-------|---|
| Fence | -Fence in front yards be a maximum of 48 inches in height and must be 66% open required/permitted<br><br>-Six foot solid fence in front yard proposed |
|-------|---|

APPEAL #13729 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

2. Richard Hulse & Christine Silvasie Block: 235.05  
3566 Ocean Terrace Lot: 7  
Zone: R-50 Harvey L. York, Esq.  
September 11, 2021 ESCROW ACCT# X-23—B01-729

Applicant proposes installation of an in-ground pool and gazebo in the rear yard of the subject property.

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|---|---|
| Pool, Rear Yard Setback                           | -8' required/permitted<br>-1.7' proposed  |
| Pool Equipment Side Yard Setback                  | -10' required/permitted<br>-5.6' proposed |
| Min. Water's Edge Setback for Access. Structure   | -20' required/permitted<br>-11' proposed  |
| Min. Setback between Pool & Access. Structure     | -8' required/permitted<br>-5.7' proposed  |
| Min. Setback between Principal & Access Structure | -5' required/permitted<br>-4.3' proposed  |

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**APPEAL #13730 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD**

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|----|---|---|
| 3. | Joshua Tackel<br>1832 Cable Drive<br>Zone: R-75<br>September 25, 2021 | Block: 1462.08<br>Lot: 2<br>Harvey L. York, Esq.<br>ESCROW ACCT# X-23—B01-730 |
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Applicant proposes to install an in-ground pool and patio in the rear yard of the subject property.

Pool, Min. Rear Yard Setback	-10' required/permitted -4.4' proposed
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Pool, Min. Side Yard Setback	-8' required/permitted -6.2' proposed
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Min. Required Setback between Pool and Principal Building	-8' required/permitted -6' proposed
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Pool Equipment, Min. Side Yard Setback	-10' required/permitted -5.9' proposed
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Two foot pervious strip required along side and rear lot lines	-required -pervious strip not provided along the rear lot lines proposed
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**APPEAL #13735 – APPEAL OF A ZONING OFFICER'S DECISION & INTERPRETATION – PUBLIC HEARING OPEN – NO TESTIMONY HEARD**

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| 4. | Louisa Kostiha<br>1672 Jaybird Lane<br>Zone: RR<br>October 8, 2021 | Block: 393<br>Lot: 15<br>R.S. Gasiorowski, Esq.<br>ESCROW ACCT# X-23—B01-735 |
|----|--|--|

Applicant is seeking an Appeal of the Zoning Officer's decision per N.J.S.A. 40:55D-70 (a) to approve Zoning Permit #20-1848 dated May 7, 2021 for a basketball court, fencing, retaining wall and drainage structures. Applicant is also seeking an Interpretation as per N.J.S.A 40:55D-70 (b) that such a facility is not a customary or permitted accessory use with a single family house.

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