

ZONING BOARD OF ADJUSTMENT

TOWNSHIP OF TOMS RIVER

AUGUST 8, 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	_____
ROBERT ALSTON	_____	ANTHONY FONTANA	_____
LYNN R. O'TOOLE	_____		

ALTERNATES:

NELS LUTHMAN (ALT#1)	_____
RICHARD ANGIOLETTI (ALT #3)	_____
MATTHEW YEZZI	_____

- 5. **ANNOUNCEMENTS**
- 6. **APPROVAL OF GENERAL VOUCHERS FOR PAYMENT**
 - A. General Vouchers for Dasti, Murphy, McGuckin, et als
 - B. General Voucher for Cole Transcription, LLC
- 7. **APPROVAL OF ESCROW VOUCHERS FOR PAYMENT**
 - A. Escrow Voucher for Dasti, Murphy, McGuckin, et als
 - B. Escrow Voucher for Owen, Little & Associates
- 8. **ESCROW REFUND VOUCHERS**
 - A. Refund voucher for Robert Boyle, Block 1110.17, Lot 12 in the amount of \$433.17.

**REGULAR MEETING TOWNSHIP OF TOMS RIVER
BOARD OF ADJUSTMENT
AUGUST 8, 2019**

9. MINUTES OF THE MEETING

A. Board of Adjustment minutes for the Regular Meeting of May 23, 2019.

10. RESOLUTIONS OF APPROVAL

11. BOARD ACTION ON APPLICATION

12. PUBLIC COMMENT

13. ADJOURNMENT

RESOLUTIONS OF APPROVAL

1. 44 Coolidge, LLC – 1735 Route 35 North - Block 1051, Lot 148, Appeal #13617–
Use (D1) & Bulk Variance -Approved

PLANS MEETING

APPEAL #13367– ADMINISTRATIVE APPROVAL- PUBLIC NOTICE NOT REQUIRED

- | | | |
|----|---------------------|---------------|
| 1. | Timothy Zieser | Block 1462.13 |
| | 1873 Windward Court | Lot: 4 |
| | Zone: R-75 | |

Applicant is before the committee to request an administrative approval for a removal of the approved condition mandating stone below the rear deck, so as to allow the existing pavers installed in the area to remain and permission to retain paver walkway from driveway in front, around the west side of the residence to the rear yard.

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APPEAL #13613– ARCHITECTURAL & LANDSCAPE REVIEW– PUBLIC NOTICE NOT REQUIRED

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| 2. | Sait Aydin/Bandwagon Diner
2500 Route 37 East
HB & R-4 | Block 794.02
Lots: 1-6, 16 & 17 |
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Applicant is before the committee to satisfy the conditions of the Resolution of Approval which was memorialized on July 11, 2019. The applicant was approved for the construction of a new 127 seat, 5,000 SF one-story restaurant/diner building on the subject property.

REGULAR MEETING - NEW APPLICATIONS

APPEAL #13619 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD
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| 3. | John & Linda Garippa
3144 Ocean Road
Zone: R-40B
October 17, 2019 | Block: 945.01
Lot: 6
Harvey L. York, Esq.
ESCROW ACCT# X-22-B01-621 |
|----|--|--|

The applicant proposes to elevate an existing single-family dwelling and add an elevated rear deck.

Side Yard Setback	-4' required/permitted -1' proposed
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Combine Side Yard Setback	-12' required/permitted -5.7' proposed
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APPEAL #13620 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD
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| 4. | Phyllis Gaglia
401 Sixth Avenue
Zone: R-40W
November 5, 2019 | Block: 1097.01
Lot: 88
Harvey L. York, Esq.
ESCROW ACCT# X-22-B01-622 |
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The applicant is requesting to legitimize the installation of a 6 foot vinyl fence.

Fence within Front Yard	-4' min 66% open required/permitted -6' solid proposed
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Fence within 20 ft. of water's edge	-4' min 66% open required/permitted -6' solid proposed
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APPEAL #13621 – USE (D2) & BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

5.	Mark Steigelman 33 West Rutherford Lane Zone: SMF November 12, 2019	Block: 944.28 Lot: 28.30 Melanie Szuba Appleby, Esq. ESCROW ACCT# X-23—B01-623
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Applicant is proposes to construct a new two bedroom, one story single family dwelling on pilings. The development proposal will required a D(2) variance if there is an expansion of the area of a building devoted to a non-conformity use (density).

Separation between Buildings	-8' required/permitted -3.0' from 31 & 35 W. Rutherford
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