

\*This Zoning Board Meeting will be an Open Public Meeting.

**ZONING BOARD OF ADJUSTMENT**

**TOWNSHIP OF TOMS RIVER**

**AUGUST 13, 2020 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 L. COLUCCI (ALT #2)	_____
RICHARD ANGIOLETTI (ALT #3)	_____
MATTHEW YEZZI (ALT #4)	_____

5. **ANNOUNCEMENTS**

a) The application for 1801 Route 34 N, LLC, 1801 Route 35 North, Block 1043 Lots 472-478 for a Use (D1) and (D5) Variance has been carried to the meeting of September 10, 2020 at 6:30 pm at the request of the applicant's attorney. Re-notification is not required. The applicant will waive time limitations.

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

- A. General Voucher for Hierung, Gannon & McKenna, LLC
- B. General Vouchers for Cole Transcription, LLC

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

- A. Escrow Voucher for Dasti, Murphy, McGuckin, et al
- B. Escrow Voucher for Remington & Vernick Engineers Inc.
- C. Escrow Voucher for Owen, Little & Associates
- D. Escrow Voucher for Asst. Twp. & Asst. ZBOA Planner crow Vouchers for Twp. of Toms River Current Fund for Robert Hudak,

**8. ESCROW REFUND VOUCHERS**

- A. Refund voucher for John Hand, Block 1103, Lot 2
- B. Refund voucher for Scott Fralley, Block 943.01, Lot 55

**9. RESOLUTIONS OF APPROVAL**

**10. BOARD ACTION ON APPLICATION**

**11. PUBLIC COMMENT**

**12. ADJOURNMENT**

**RESOLUTIONS OF APPROVAL**

- 1. Kurt Oswald–26 Bay Point Drive, Block 297.02, Lot 36, Appeal #13665- Bulk Variance - Approved
- 2. Pietro & Maria D’Alia – 222 Hayes Court, Block 919.08, Lots 11 & 11.01, Appeal #13664- Appeal of an Administrative Officer’s Decision & Bulk Variance- Approved

**BOARD RESOLUTION**

- 3. Resolution/Agreement of the Toms River Zoning Board of Adjustment memorializing the appointment of the Law Firm of Hierung, Dupignac, Stanzione & Dunn, PC as the Zoning Board of Adjustment Attorneys for the period of July 9, 2020 to December 31, 2020.

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**NEW APPLICATIONS**

APPEAL #13666 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |  |  |
|----|--|--|
| 1. | Steven Vetter<br>14 Curaco Avenue<br>Zone: R-B-1<br>November 4, 2020 | Block: 1500.04<br>Lot: 35<br><br>ESCROW ACCT# X-23—B01-667 |
|----|--|--|

The applicant proposes to construct an in-ground pool in the rear yard of the property.

- |  |   |
|--|---|
| Min. Rear Yard Setback                 | -10' required/permitted<br>-8' proposed   |
| Min. Pool Setback from Building & Deck | -8' required/permitted<br>-6.1' (2 <sup>nd</sup> Floor Balcony) &<br>-±4.25 (raised patio) proposed |

APPEAL #13669 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |  |   |
|----|--|---|
| 2. | Faust & Jasmine Capobianco<br>10 North Surf Road<br>Zone: R-40A<br>November 13, 2020 | Block: 1091<br>Lot: 21<br>Harvey L. York, Esq.<br>ESCROW ACCT# X-23—B01-670 |
|----|--|---|

The applicant seeks variance approval to construct a second floor deck at the subject property.

- |                                  |   |
|----------------------------------|---|
| Deck, Min. Side Yard Setback     | -4' required/permitted<br>-0.08' proposed |
| Deck, Combined Side Yard Setback | -12' required/permitted<br>-4.3' proposed |

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APPEAL #13668 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |   |  |
|----|---|--|
| 3. | Gregg Lynch<br>438 Delray Drive<br>Zone: R-40A<br>November 12, 2020 | Block: 1946.01<br>Lots: 74, 74.01<br>Harvey L. York, Esq.<br>ESCROW ACCT# X-23—B01-669 |
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The applicant proposes to construct an in-ground pool on the subject property.

Min. Rear Yard Setback	-8' required/permitted -3' proposed
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APPEAL #13670 – BULK VARIANCE – PUBLIC HEARING OPEN – NO TESTIMONY HEARD

- |    |  |  |
|----|--|--|
| 4. | Howard & Jeannette Hirsch<br>261 Joseph Street<br>Zone: R-40B<br>November 20, 2020 | Block: 943.03<br>Lot: 121<br>Harvey L. York, Esq.<br>ESCROW ACCT# X-23—B01-671 |
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The applicant proposes to construct a 10 ft. by 9 ft. in-ground pool at the subject property.

Min. Setback from Building	-8' required/permitted -0' proposed
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Min. Setback from Pool to Fence	-6' required/permitted -3.4 proposed
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- **HAWAIIAN SHIRT MEETING NIGHT**

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