

Motion Ed Mack for Zoning Officer – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion Steve McCrystal for Court Stenographer – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion Fran Siegel for Secretary – Mr. Zaks

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to except Calendar for 2006 with a Special Meeting on January 23rd and a Seminar planned for March 8th – Mr. Gonzalez

Second- Ms. Goralski

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to waive reading and approve minutes of December 5, 2005 – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to approve minutes of December 12, 2005 – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to accept Annual Report for 2005 – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Request from Ray Shea, Esq. to carry Appeal # 3578, David Herzog.

Motion to carry to March 6th with a waiver of time and no further notice– Mr. Gonzalez

Second – Mr. Gelley

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Request from Sal Alfieri to carry Appeal #3588, Aharon Kahn.

Motion to carry to March 6th, no further notice and a waiver of time – Mr. Zaks

Second – Ms. Goralski

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Appeal # 3589 – New plans were not complete and elevations were not submitted.

Motion to carry with re-notice and a waiver of time – Mr. Gonzalez

Second – Ms. Goralski

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Appeal # 3586 – Shlomo Meyer, 423 6th Street, Block 68 Lot 13, R-OP zone. To renovate the existing structure and to construct a 2 1/2 story addition to create a 2,341 square foot single family structure.

Secretary read reports.

From Jim Priolo, Engineer/Planner – Second Review (Revised)

1. The subject property is located on Sixth Street and is within the ROP (Residential Office Park) Zone. The applicant proposes a major renovation to the existing single-family structure.
2. The applicant previously appeared before the Board requesting a two-family use. The applicant has amended the application to request a single-family use for the same structure.
3. The existing lot does not conform to the current zone requirements. In accordance with Section 903 I. of the Ordinance, bulk variances will be required for the construction of the proposed additions as follows:

	Required	Existing	Proposed
Minimum Lot Area	10,000 s.f.	7,500 s.f.	7,500 s.f.
Minimum Lot Width	75 feet	50 feet	50 feet
Minimum Side Setback (One)	12 feet	0 feet	0 feet
Minimum Side Setback (Combined)	25 feet	6.5 feet	6.5 feet
Minimum Rear Setback	15 feet	0.9 feet	0.9 feet
Minimum Side Setback (Accessory)	7 feet	1.8 feet	1.8 feet
Maximum Building Coverage	25%	18.6%	29.9%

The Schedule of Bulk Requirements should be revised per Section 903.I.2., of the Ordinance. The rear yard setback requirement listed is incorrect.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impacts which the addition will have on the surrounding properties.

4. The applicant is proposing a 4,500 s.f. dwelling with a 2,200 s.f. basement, which is the same size as the previously requested two-family structure. The applicant should discuss why the structure cannot be reduced in size, which would help eliminate some of the variances.
5. An existing driveway straddles the side property line which appears to be a shared driveway with adjacent Lot 12. The applicant should discuss if there is an existing access easement over this driveway. Any approval should address this condition.

6. The proposed driveway should be extended to the garage.
7. The architectural show a walkout basement at the rear side of the building which requires an approximately 9 or 10 foot grade difference in the rear yard. A grading and drainage plan is required to show if this house design is feasible. Grading will be difficult considering the limited building setbacks.
8. Any approval should include a condition that all curb and sidewalk shall be replaced as directed by the Township Engineer.

From: Ed Mack, Zoning Officer

Considering the condition of this structure and its poor location on the lot, I feel it would be better to build a new structure that is designed to fit this location.

Shlomo Meyer, 585 4th Street, affirmed. Would like to construct a single family home. There is an existing small structure on the lot sitting on all the setbacks. Behind this property is a parking lot. Reviewed Mr. Priolo's report. Every house on the block is at least 2 and 3 family houses. Making the house smaller will only reduce the lot coverage. All the houses in the neighborhood are over the allowed lot coverage. Agreed to extend the driveway to the garage.

Mr. Sernotti - Would like to see the access easement deed.

Mr. Meyer – can provide that information. There is an approximate 5 feet difference in elevation between the front and the back.

Mr. Priolo – concerned about drainage. It seems that water will just run-off on the adjoining property. The property is pitched to the back of the house.

Mr. Mack – the parking should be in the rear and the house should be moved forward. This is not a good plan, especially with the shared driveway. The existing structure is not in great shape.

Mr. Sernotti asked if the existing structure could support the proposed addition.

Mr. Priolo – The house should be made smaller. Suggested that the garage be eliminated. The water situation needs to be addressed.

Mr. Sernotti – take it down – make it smaller – make it fit.

Mr. Zaks agreed – would rather see the house moved forward and more conforming.

Mr. Gonzalez – moved closer and more conforming – this house is too big for a single family home.

Mr. Sernotti – bring the house forward and have the parking in the rear.

Mr. Zaks – would like to see the recorded easement for the driveway.

Motion to carry until March 6th – Mr. Naftali
Second – Ms. Goralski

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

No further notice and a waiver of time.

Appeal # 3533 – Dov Gluck, 601 Park Avenue, Block 234 Lot 1, R-7.5 zone. Single-family home on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner

1. The subject property is located on the corner of Park Avenue and Hackett Street and is within the R-7.5 (Single-Family Residential) Zone. The existing lot is vacant. The applicant proposes to construct a new single-family dwelling. The existing lot does not conform to the current zoning requirements. In accordance with Section 902.G. of the ordinance, bulk variances will be required for the construction of the proposed dwelling as follows:

	Required	Existing	Proposed
Minimum Lot Area	7,500 s.f.	6,584.23 s.f.	6,584.23 s.f.
Minimum Lot Frontage	50 ft.	50 ft.	46.95 ft.
Minimum Front Yard Setback	25 ft.	-	13.4 ft. (Hackett St.)

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

2. The right-of-way width of Hackett Street is 22 feet and is undersized. A 9-foot road widening easement should be proposed. Concrete curb and sidewalk should be constructed within this easement.
3. Any approval should include a condition that existing curb and sidewalk shall be replaced as directed by the Township Engineer. A note should also be added to the plan.
4. Any approval should include a condition that the maximum elevation difference between finished floor and outside grade is 30 inches.
5. A plot plan with proposed grading should be submitted as a condition of any approval.

From: Ed Mack, Zoning Officer

I have no objection to this application.

Steve Pfeffer, attorney represented applicant.

A-1, A-2 letters from adjoining neighbors to purchase or sell.

Mr. Pfeffer – we agree with everything in Mr. Priolo’s report. This will be one-family residence.

Open to Public. Closed to Public.

Motion to approve – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks, Mr. Halberstam, Mr. Sernotti

Appeal # 3577 - Sterling Developers, 999 Vermont Avenue, Block 1100 Lot 23, A-1 zone. Density variance in order to subdivide the existing property into 12 lots.

Mr. LeCompte left the building.

Ms. Goralski left the dais on this application.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – Revised Review

1. The subject property is located along Vermont Avenue and is within the R-20 (Agricultural) Zone. The applicant has provided a variance map showing a future subdivision that would subdivide existing Lot 23 into twelve (12) lots and construct twelve (12) new single-family dwellings. The existing dwelling will be razed and the remaining area deforested.

The zoning for this site has changed from the A-1 Zone to the R-20 Zone since the application was submitted. The plans should be revised to reflect this change.

The applicant came before the Board under Appeal No. 3510 for the subdivision of the same property into fourteen (14) lots. The application was denied.

2. The applicant is requesting use variance approval (for density) and dimensional relief for the proposed subdivision as follows:
 - a. The subject property can yield 8 conforming lots based on R-20 Zone criteria and the road and lot configuration. The applicant is seeking approval for 12 buildable lots (2.4 units/acre) by requesting dimensional relief for lot area. The requested lot areas range from a minimum size of 15,050 s.f. to a maximum size of 16,052 s.f.
 - b. The following bulk variances for the dimensional relief will be a condition of this approval for the future subdivision as follows:

	Required	Proposed
Minimum Lot Area	20,000 s.f.	15,050 s.f. (minimum)

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit an increase in the permitted density and the noted bulk variances for dimensional relief.

The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The applicant should further investigate the configuration of Court "A" as it relates to the existing paper streets within surrounding area. Court "A" in a "T" intersection with Lambert Avenue may provide for better circulation with future development. Another alternative may be to eliminate Court "A" and utilize the existing 'paper' right-of-ways.
4. The applicant should discuss how storm water management will be addressed during the subdivision phase of this project. It does not appear that any area has been reserved for storm water management.
5. If the variances are granted, the Board should defer the approval of site layout and dwelling unit count to the subdivisions plan review phase of this application. Environmental constraints, buffers, traffic/circulation, drainage, and topography may alter or affect the usability of certain areas and the overall layout of the project.
6. The applicant is proposing (two-story) dwellings that are approximately 5,600 s.f. in size. The applicant should discuss how the purposes of the zone plan and master plan are enhanced by constructing oversized dwellings on undersized lots.
7. The required 50-foot front setback should be maintained along Vermont Avenue.
8. The applicant should provide testimony on the proposed use of the basement level. The drawings indicate a separate outside entrance to the basement level.
9. Any approval should be subject to Preliminary and Final Major Subdivision approval.

From: Ed Mack, Zoning Officer

I think that the recent change from A1 to R-20 allows a substantial reduction in the Zoning requirements for this lot. I see no reason to reduce them any further.

Steven Pfeffer, attorney for applicant.

Brian Flannery, Engineer reviewed Mr. Priolo's report. The applicant originally came in with 14 lots and was denied. This property was in the A-1 zone. The lots are between 15,000 & 16,000 square feet and the zone is now R-20. This application is asking for the requirements of the R-15 zone. This property has no environmental constraints. The board can grant this variance without any detriment to the zone plan or zoning ordinance. This property will have public sewer and water. Not asking for subdivision approval. There will be an underground recharge system. The basement is for storage and indoor uses. The R-15 zone is consistent with the area.

Mr. Priolo - The houses will appear closer together -they should have larger setbacks.

Mr. Flannery - The only variance requested is lot area.

Mr. Priolo - there is no open space set aside in exchange for smaller lots.

Mr. Flannery - they could reduce the lot sizes and put the gained area along Vermont Avenue to provide a buffer. The house is 70 feet wide.

Mr. Zaks asked for a greater side yard setback.

Mr. Gonzalez recommended that the paper streets be opened to allow for better traffic flow.

Mr. Flannery - the traffic should go to Vermont Avenue which is a collector road.

Mr. Sernotti - Why put the burden on one road when there are paper streets that could be opened?

Open to Public. Closed to Public.

Mr. Priolo suggested that the board vote on the minimal lot area and not the unit count.

Mr. Flannery – asking for the density without locking in the unit count.

Motion to approve just minimum lot area of at least 15,000 square feet and a 50 foot frontage on Vermont Avenue – Mr. Zaks

Second – Mr. Gonzalez

Roll call vote: Mr. Gelley, Mr. Gonzalez, Mr. Naftali, Mr. Zaks, Mr. Lieberman,
Mr. Halberstam, Mr. Sernotti

Recess.

Appeal # 3505 – Shalom Bauman, 610 Princeton Avenue, Block 157 Lot 11, R-M zone.
3-2 family townhouse units exceeds density, bulk variances

Secretary read reports.

From: Jim Priolo, Engineer/Planner - Second Review

1. The subject property is located on Princeton Avenue between Sixth and Seventh Streets, and is within the R-M (Multi-Family Residential) Zone. The applicant proposes to construct a six-unit townhouse structure (three 2-story units, and 3 basement units).
2. Although the townhouse use is permitted in this zone, it does not meet the conditions of Section 1010 (Townhouses) and therefore a Special Reasons Variance will be required. A special reasons variance is required because the applicant is:
 - a. Requesting a deviation pertaining solely to a conditional use. In accordance with Section 1010 A., townhouses shall be subject to the following conditions:

	Required	Proposed
Minimum Tract Size	0.5 Acre	0.344 Acre
Maximum Density	16 units/acre	17.65 units/acre
Minimum Tract Width	125 ft.	100 ft.
3. The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit:
 - a. A deviation from a standard pertaining solely to a conditional use.

Additionally, the applicant must demonstrate to the Board that the requested special reasons variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

4. Should the Board approve the special reasons variance, the following bulk variances will be required for the proposed subdivision. In accordance with Section 1010 B.1. of the ordinance, bulk variances for the proposed subdivision are required as follows:

	Required	Provided Lot 11.01	Provided Lot 11.03
Minimum Side Yard Setback (End Unit)	12 feet	11 feet	11 feet

5. The following variances are required:
 - a. In accordance with R.S.I.S. for the townhouse use, 15 parking spaces are required, whereas 9 spaces are proposed. Therefore, a variance is required.
 - b. In accordance with Section 803.E2, a minimum 15' wide buffer with dense plantings is required along the side and rear property lines adjacent to the existing single-family homes.
6. The Schedule of Bulk Requirements should be revised to reflect the bulk requirements (Section 1010) Townhouses for the proposed subdivision and site plan components of this application. Also, the site plan should include the three (3) lot preliminary subdivision as well as the appropriate setbacks reflecting the subdivision.
7. The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance. Additionally, the applicant should address the Board regarding the visual impacts which the proposed structure will have on the surrounding properties.
8. The following should be addressed with regards to the Layout Plan:
 - a. A head-on parking lot off Princeton Avenue is discouraged. Individual drive ways should be considered for each unit. The building's front yards should be increased to provide additional parking.
 - b. Access to the rear yard of the middle unit should be addressed should the sub division be approved.
 - c. An area designated for trash storage and recycling containers should be provided.
9. The following items should be addressed with regards to the Grading & Utility Plan and the Stormwater Management Report:
 - a. The applicant should check the B.F.E. and F.F.E. elevations and should check that they match the architectural plans.
 - b. The entire lot should be graded so that stormwater is directed towards the street or into a stormwater collection system.
 - c. The dry wells should be eliminated and a recharge pipe system should be designed along the northern side property line with an overflow into the existing system within Princeton Avenue. The drainage system shall be owned and maintained by a Homeowners Association.
 - d. Proposed spot elevations should be proposed around the entire property.
 - e. The applicant should discuss the purpose of the second sanitary sewer main in Princeton Avenue. This will result in additional pavement disturbance to Princeton Avenue. A significant pavement restoration detail should be provided.

- f. Results of soil borings and/or on-site percolation tests should be provided for review.
10. The following items should be addressed with regards to the Lighting and Landscaping Plan:
 - a. Additional landscaping should be provided throughout the property.
11. Any approval should be subject to proper approval of the removal of the Underground Storage Tank (UST). Verification of the same should be provided.
12. Approval by the Board should be subject to approvals from the Ocean County Soil Conservation District and any other local, State and Federal agencies having jurisdiction over this project.

From: Ed Mack, Zoning Officer

Since this is an undersized lot in terms of area and width, I see no reason to grant variances for density and sideyard setbacks.

John Doyle represented applicant.

Ray Carpenter, Engineer reviewed Mr. Priolo's report. Proposing 3 townhouses in the RM zone which is a permitted use. RSIS requires 15 parking spaces and they are providing 16. Along the right side property line they will put dense buffering along there. There will be individual parking areas for each unit. Will provide an area for trash and recyclables. Will add trees on the lot.

A-1 colored version of tax map.

Brian Flannery, Planner reviewed Mr. Priolo's report – Townhouses are a permitted use in the RM zone. Proposed 2 family townhouses. Will fit in with the surrounding area. Positive criteria outweigh the negative. There will be no detriment to the zone plan. This plan has sufficient parking for the 3 upstairs units and the 3 basements. Asking for density being 17.65 where 16 are required. The property is in close proximity to downtown.

Mr. Carpenter- there are 4 parking spaces in the southern most unit, 8 parking spaces in the middle unit and 4 parking spaces in the northerly unit. They are all stacked.

Mr. Halberstam - Why can't the basement unit be out of the ground to allow for more light in the unit.

Shalom Bauman, affirmed. The units are 4 feet in the ground and 4 feet above ground.

Open to Public. Closed to Public.

Mr. Mack – two units would be better for this lot than 3. Two units fit and they are trying to put on 3 units.

Mr. Flannery - Not asking for use, townhouses are permitted, asking for density.

Motion to approve subject to the engineers working out the drainage system –
Mr. Halberstam
Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Appeal #3570 – Somerset Development, 436 & 444 Cross Street, Block 524 Lots 7, 8.01, 8.02, 10-17, 129 & 131, M-1 and R-40 zone. To obtain a use variance for the development of an Adult Community in the M-1 and R-40 zone.

Secretary read reports.

From: Jim Priolo, Engineer/Planner

1. The subject property is approximately 29.84 acres in size and is located along Cross Street. The property is within the M-1 (Industrial) Zone and the R-40 (Single-Family Residential) Zone. The applicant is proposing an adult community development consisting of 93 single-family residential units. All of the development is proposed within the M-1 Zone.
2. Special Reasons Variances will be required as follows:
 - a. Requesting a use that is not permitted in the M-1 Zone. In accordance with Section 903M., an adult community single-family residential development is not a permitted use within the M-1 Zone and therefore a use variance is required.
 - b. Deviation from a standard pertaining solely to a conditional use. In accordance with Section 1001 Adult Communities, the project does not meet the conditional requirements as follows:

	Required Adult Communities	Proposed
Minimum Tract Area	100 acres	29.84 acres
Minimum Open Space	50% gross area	9.1%
Recreation Building	1395 s.f.	None
Swimming Pool	2,800 s.f.	None
Parking for Recreation Building	28 spaces	None

The applicant must provide testimony to the Board detailing the special reasons, which would allow the Board to grant a variance to depart from the zoning regulation to permit a use in a district restricted against such use and a deviation from the conditional requirements for adult communities.

The applicant must demonstrate to the Board that the requested variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

Additionally, the applicant should address the Board regarding the visual impacts that the proposed improvements may have on the surrounding properties.

3. In accordance with Section 903M., bulk variances are required from the M-1 Zone as follows:

	Required M-1	Zone Proposed
Minimum Front Yard Setback	100 ft.	70 ft. (Cross St.)

The applicant must demonstrate to the Board these requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

4. The plan shows a roadway connection to the Fairways at Lake Ridge Adult Community. The applicant should discuss if this project will ultimately become another phase of the Fairways at Lake Ridge Development.
5. The applicant should discuss the available open space for this development. The plan does not show the anticipated use of the lots within the R-40 Zone.
6. There are no recreational buildings or uses proposed in this development. The applicant should discuss how the recreational needs of this development will be met.
7. Any use variance approval shall be subject to Preliminary and Final Major Subdivision and Site Plan approval.

From: Mr. Mack, Zoning Officer

I would like to see how the new houses will affect the existing recreational and social facilities.

Steven Pfeffer represented applicant.

Shirley George, 64 Foxwood Road, sworn. President of Board of Directors of Lake Ridge. The issue was whether or not the Homeowners Association would approve the expansion of the Fairways Community to include the Cross Street property. They had a vote and 87% voted yes for expansion.

Michael Jacobus, 55 Schoolhouse Road, Vice President of the Kokes Organization and they are under contract to purchase this property and will be combined with the Lake Ridge property. This new addition will add additional money to the community to possibly expand the clubhouse to accommodate the 93 new houses.

Mr. Sernotti – today the clubhouse is at capacity.

Mr. Jacobus – the money will be given to the association and they will decide what they need to do with it. The sales office of about 7,000 square feet will be deeded over to the association in 3 or 4 years.

Mr. Flannery – the property is split zoning, approximately 27 acres is in the M-1 zone and 2 1/2 acres are in the R-40 zone. The contingent property is in excess of 440 acres. Typical industrial uses would not be appropriate on this site. The existing clubhouse is more than 17,000 square feet and also the sales center that will be given.

Nicholas Graviano, professional planner, sworn. The applicant must demonstrate a

special reason. This is the highest and best use for this land. This will provide more tax ratable for the Township. Will provide age restricted houses. Board can grant without detriment to the neighborhood. The Kokes Organization has provided the models that would be constructed on the site which is consistent with the existing homes.

Shirley George – They have been studying this issue for about 6 months and there are various options but they have not made a decision and with the financial contribution would be able to satisfy all their new needs.

Mr. Halberstam – will not vote on the amount of units only the use.

Mr. Sernotti – agreed. Will not give number of units.

Mr. Zaks - Will not approve a number until we see the other issues on the site plan.

Mr. Priolo - The only thing that would reduce the unit count would be if the storm water management doesn't work.

Mr. Sernotti – would like to see that the people would be taken care of as far as recreation.

Mr. Flannery - When they come back with site plan they will have details.

Open to Public.

Leif Rode, 18 Sandhurst Road, sworn. The people that paid extra for their lots should be reimbursed. Asked for another street light on Cross Street.

Bill Hovday, 30 Schoolhouse Lane, sworn. This was overwhelmingly approved by the residents. There will be an amount of money conveyed from the builder to the association to provide amenities to the people that will reside in the extended portion. What if the money is conveyed and there is not enough money or room to add the amenities? A plan is needed.

Closed to Public.

Shirley George – they paid the premium on Skyline Drive because of a strip of common property in back of their yards and that strip will remain. There will be a total of 60 feet of common property between the back of the existing houses and the new houses. The financial contribution for amenities that they will be given is \$1,270,567.

Motion to approve use only for Senior Housing – Mr. Zaks

Second – Mr. Gelley

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Appeal # 3562 – Erwin Deutsch, Cottage Place, Block 247 Lot 28.02. R-7.5 zone. To construct a two-story duplex structure.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - Second Review

1. The subject property is located along Cottage Place and is within the R-7.5 (Single-Family Residential) Zone. The applicant proposes to construct a two-story duplex structure. The property is currently vacant.
2. In accordance with Section 902 G.1. of the Ordinance, the minimum lot area requirement for a duplex use in the R-7.5 Zone is 10,000 s.f. The applicant is proposing a duplex use on an 8,628.5 s.f. lot. Therefore, a use variance will be required.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use.

The applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. In accordance with Section 902 G.4. of the Ordinance, bulk variances are required as follows:

	Required R-7.5	Proposed Lot 28.01
Minimum Lot Area	10,000 s.f.	8,628.5 s.f.
Front Yard Setback	25 ft.	21 ft.
Rear Yard Setback	15 ft.	7 ft.
Maximum Lot Coverage	30%	33.9%

4. The following comments should be addressed with regards to the Grading & Drainage Plan and stormwater management:
 - a. The length of pipe used in the drainage calculations is incorrect.
 - b. The invert elevations indicated in the detail do not correspond with the inverts on the plan.
 - c. The rainfall amount of 7.5 inches used for the 100-year storm event has been updated as of September 2004; the revised amount is 9.2 inches. The calculations should be revised per the update.
 - d. A Homeowners Association will be required for responsibility and maintenance of the stormwater system.
5. The following comments should be addressed with regards to the Construction Details:
 - a. Drainage inlets castings for Inlet Type 'B' shall be pattern number– No. 2618, 6" Type 'N' with "Drains to Waterway" imprinted on it. Each inlet shall also have a bicycle safe grate.
 - b. A stormwater management maintenance plan in accordance with N.J.A.C. 7:8-5.8 must be provided.
 - c. A handicap ramp detail should be provided.
6. The following comments should be addressed with regards to the architectural drawings submitted:

- a. The proposed multi-family dwelling does not provide any storage area for such things as gardening/yard equipment, bicycles, children's outdoor toys and garbage and recycling receptacles. The applicant should discuss storage and garbage collection.
 - b. The applicant should provide testimony on the proposed use of the basement level. The drawings indicate a separate outside entrance to the basement level. Also, the applicant should discuss the intended use of the attic level.
7. The applicant is seeking relief for undersized lot area and setbacks for a duplex structure. The applicant should discuss recreational opportunities as there does not appear to be any substantial yard area for children to play in.
8. Full width pavement restoration should be required after all utility connections are made.

From: Ed Mack, Zoning Officer

Since this lot is already undersized for one duplex, I cannot support the idea of allowing two duplexes on this site.

Abraham Penzer represented applicant. Only asking for one duplex.

Ray Carpenter, engineer for applicant. Reviewed Mr. Priolo's report. Most of the variances revolve around the deck and the steps which is de minimis to the site. They can eliminate the deck if necessary but is not desirable. There is only one owner for this property. There is an entrance to the basement and is not designed to be habitable. They will comply with the 30 inch rule. The basement is strictly for storage.

Mr. Sernotti asked if they could have a patio instead of a deck.

Mr. Penzer agreed to a patio.

Mr. Gonzalez – a deck is safer.

Mr. Gelley – does not see a problem with a deck.

Mr. Zaks – one owner will own a two-family house. A deck or a patio is okay.

Open to Public.

Leonard Thomas, 321 Cottage Place, sworn. Is there adequate parking because that street is horrible. Parking on the street is not an option.

Mr. Carpenter - RSIS requires 5 parking and they have provided 6 parking spaces.

Mr. Thomas – concerned about safety and the traffic. Suggested one-way traffic.

Mr. Sernotti suggested that he call traffic and safety. This property is 8,600 square feet.

Mr. Thomas – this an extremely congested area.

Closed to Public.

Motion to approve one two family dwelling with one owner with a deck – Mr. Gelley
Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

Request from Mr. Penzer Re: Appeal # 3538 Gregg Kukal, to amend resolution to include outside sales.

Mr. Penzer – there are some outside sales, meaning that people come inside to buy.

Mr. Mack - sells specific parts for a forklift – very few people come there.

Mr. Sernotti - we adjusted the parking based on that comment not to accommodate customers.

Mr. Mack – he does not have a lot of people walking in – he has brought this issue up himself. His observation there are very few people that come there.

Motion to approve – Mr. Halberstam

Second – Mr. Naftali

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam,

Nayes: Mr. Sernotti

Request from Mr. Penzer re: Appeal # 3370 Congregation Khal Yishous David asking for a one-year extension.

Mr. Penzer - The building has no broken ground yet. There are legal problems. If it is not built within the year they will break their contract. The developer is supposed to build the synagogue. The approval was to use the garage for two years.

Motion to grant a one-year extension – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

RESOLUTIONS

Appeal # 3583 – Saul Mizrahi, 406 Ridge Ave, Block 189.01 Lot 2, R-10 zone.

Resolution to approve the construction of a single family house on an undersized lot – required 10,000 – approved 6,900.

Motion to approve – Mr. Naftali

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman

Appeal # 3594 – Osher Eisemann, 1416 Monmouth Avenue, Block 139 Lot 8, R-10 zone,
Resolution to approve the construction of a single family home on an undersized lot.

Motion to approve – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Sernotti

Appeal # 3499A – Somerset Mam, Cedarbridge Avenue, Block 761 Lots 1-3 Site Plan
approved

Motion to approve – Mr. Gonzalez

Second – Mr. Halberstam

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Zaks, Mr. Halberstam, Mr. Sernotti

Appeal # 3471A – Somerset, 245 Chestnut Street, Block 1051 Lots 45 & 46, Resolution
to approve preliminary and final major subdivision and site plan.

Motion to approve – Mr. Naftali

Second – Mr. Halberstam

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal # 3458A – Lakeview Place, Ocean Avenue, Block 548 Lot 80, RM zone.
Resolution to approve preliminary and final major subdivision

Motion to approve – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Naftali, Mr. Zaks,
Mr. Halberstam, Mr. Sernotti

MOTION TO PAY BILLS.

All in favor.

MOTION TO ADJOURN.

All in favor.

Meeting adjourned at 11:45 P.M.

Respectfully submitted,
Fran Siegel, Secretary