

MANASQUAN ZONING BOARD OF ADJUSTMENT

BOARD OF ADJUSTMENT - FEBRUARY 9, 1977

Board Members Present; Mr. Dombrosky, Mrs. Dillon, Mr. Newman, VanSchoick and Wright. Mr. Huebner was absent.

Attorney for the Board, Mr. Moench was also present.

Council
Chambers

The Municipal Land Use Law and the new Manasquan Borough Ordinance to cover this law were discussed in the council chambers before the board went into the Council room to hear variance. At this time, Mr. Dombrosky stated he was resigning and left the meeting. He stated he would send letter to Mayor Donovan with his reasons.

BOARD OF ADJUSTMENT HEARING : EUGENE KEIL: ADDITION TO GARAGE

Members present; Mrs. Dillon, Mr. Newman, VanSchoick and Wright

650 Mr. Moench, Attorney for the Board at this time explained to Mr. Keil that this meeting would have to postponed until next month, reason being that under the new Ordinance the Board must consist of seven members, of which five must be present to hear a "d" variance.

691 Mr. Moench suggested that the Board pass a resolution, stating that Mr. Keil not be penalized in any way in the action he has taken so far, but request Mr. Keil to follow the segment in the Ordinance, Article II, Section 7 by giving a copy of the application for the board to the building inspector and having the list of property owners within 200 feet certified by the Tax Assessor. Also that Mr. Keil not be requested to reserve notice to property owners for the meeting to be held on the 9th of March, 1977 at 8:00 P.M. It would be necessary after the building inspector is given a copy of the application, for the inspector to give his file or copy of file on Mr. Keil to the Clerk of the Board.

Mr. VanSchoick moved the above resolution, seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. Newman, VanSchoick and Wright.

"No" None.

748 Mr. Keil also agreed to an extention of the 120 days if necessary under the statute 44:55D-73b under the new law.

Mr. VanSchoick moved for adjourment, seconded by Mr. Newman and carried.

BOARD OF ADJUSTMENT: SPECIAL MEETING - FEBRUARY 24, 1977

MEMBERS PRESENT: Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright.
Mr. Hubner and Newman were absent.

PURPOSE OF MEETING: Elections of officers and reviewing application forms.

Mr. VanSchoick, acting chairman asked for nominations for Chairman; Mrs. Dillon nominated Mr. Wright, Seconded by Mr. Schneider. Mr. Schneider moved the nominations be closed, seconded by Mrs. Dillon. The nomination was passed by the following vote; Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright.

Mr. Wright nominated Mr. Hubner for Vice-Chairman, Seconded by Mr. Schneider. With no other nomination, Mr. Wright moved the nominations be closed, seconded by Mr. Schneider. The nomination was passed by the following vote; Mrs. Dillon, King, Schneider, VanSchoick and Wright.

Mr. Wright nominated Mrs. Reynolds as Secretary-Clerk for the Board, seconded by Mrs. Dillon. No other nominations, Mr. Schneider moved the nominations be closed, seconded by Mr. Wright. The nomination was passed by the following vote; Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright.

Mr. Wright nominated Mr. Peter Ragan for the position of Attorney for the Board. Several Board members questioned Mr. Ragan concerning his fees. At this point Mr. Moench, the present attorney for the board was requested to leave the room as questioning was continued of Mr. Ragan.

Mr. Moench was then recalled to the room, at which time after begin questioned if he was still a candidate for attorney, Mr. Moench so declined.

There was at this time no second to Mr. Wrights nomination of Mr. Ragan. Mr. King suggested that the nomination be held over until March 9, 1977, when the full board would be present. This was agreed on by all present.

With elections of officers completed except for the attorney, the board went on to review the application forms for the Board with final decision to have the Secretary type up a sample form, and have it checked by the Board at the March 9th meeting.

Meeting adjourned by Mr. VanSchoick, seconded by Mrs. Dillon and passed by all

Meeting adjourned at 9:35 P.M.

Diane Reynolds

1003 Mr. King moved that Mr. Ragan draw a resolution in favor of the addition showing Mr. Keil's hardship of no storage space with conditions as they are now, and that No plumbing be allowed to be installed and that the garage at any time be used for dwelling purposes. This was seconded by Mr. VanSchoick and carried by the following vote "Yes" Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright. The hearing for this final resolution is to March 16, 1977 at 7:00 P.M. at special meeting held by the Board of Adjustment.

1110. Hearing for Mr. Keil Ended at 1110.

1111 Board members at this time moved that the Secretary for the Board, purchase the necessary forms needed for the application to the board for hearings. Also approved was the use of the "Rules of Procedure" By-Laws - Appendix A in the "Guide to Zoning Boards of Adjustment".

The Secretary was asked to make sure ad for the applications for attorney for the Board was put in the appropriate papers.
Meetings was adjourned.

*Diane Reynolds,
Sec*

BOARD OF ADJUSTMENT - SPECIAL MEETING MARCH 16, 1977

Members present; Mrs. Dillon, Mr. King, Vanschoick and Wright
 Mr. Huebner, Newman and Schneider were absent
 Attorney for the Board - Mr. Peter Ragan

Tape started at 1192 -

Meeting was called to order, roll call taken-

Mr. VanSchoick moved postponement of this meeting as there was not a qualified number of members present to vote on the resolution ref; to Mr. Eugene Keil-addition to a garage. This was seconded by Mr. King and passed by the following vote; Mrs. Dillon, Mr. King, VanSchoick and Wright. The reason for the postponement was that all members who originally heard the case on the 9th of March, had to be present to vote on the resolution that needed five (5) affirmative votes. Meeting adjourned - Next meeting is to be March 23, 1977.

Tape ended at 1230.

Deane Reynolds, Sec

BOARD OF ADJUSTMENT MEETING - MARCH 23, 1977SPECIAL MEETING

Members present; Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright
 Mr. Huebner and Newman were absent.
 Mr. Peter Ragan - Attorney for the Board was present.

Mr. Wright, Chairman for the board called the meeting to order. Roll call was taken.

Mr. King moved the resolution in reference to Mr. Eugene Keil, and read same. The resolution was seconded by Mrs. Dillon and passed by the following vote; "Yes" Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright. "No" None.

Mr. VanSchoick moved the Resolution #77-2, seconded by Mr. Schneider and passed by the following vote: "Yes" Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright. This resolution is in reference to the Open Public Meetings Act. It is so attached to these minutes.

Mr. VanSchoick moved adjournment of this meeting- seconded by Mr. Schneider and carried unanimously.

There is to be a special meeting held on Friday, April 1, 1977 to go over any applications for Board Attorney and to review the "Rules and Regulation" of the Board. This meeting is to be at 8:00 P.M.

Deane Reynolds

April 11, 1977

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SPECIAL MEETING OF THE BOARD OF ADJUSTMENT

Members present; Mrs. Ruth Dillon, Mr. Hubner, King, Schneider, VanSchoick and Wright. Mr. Newman was absent.

Mr. C. Howard Wright, Chairman of the Board announced that this portion of the meeting is to be closed due to the board reviewing applications for the position of the Attorney for the Board.

The board reviewed the applications of three attorneys and after careful consideration, Mr. Schneider moved the board appoint Mr. W. Peter Ragan, attorney for the Board for one year, seconded by Mr. King and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider, Van Schoick and Wright. "No" None.

This closed the session that was private for board members only.

The meeting was then opened and the Rules and Regulations for the Board of Adjustment of the Borough of Manasquan were reviewed and the necessary changes made. The Secretary for the Board will type up the new rules and provide copies to all the members with extra one made for the public should anyone be concerned and wish a copy.

Mr. VanSchocik moved the meeting be adjourned, seconded by Mrs. Dillon and carried unanimously.

Deane Reynolds, Sec

April 13, 1977

BOARD OF ADJUSTMENT - REGULAR MEETING

Members present; Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. Mr. W. Peter Ragan - Attorney for the Board

Mr. Wright, Chairman of the Board, announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been sent to the newspapers in the form of an annual notice.

Mr. Wright announced that the minutes of the previous meetings of the board were posted on the bulletin board. These minutes were moved as submitted by the Secretary by Mr. VanSchoick, seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. "No" None.

Mr. Schneider moved the following resolution, numbered 77-3, seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. "No" None. The Resolution was in reference to the appointment of the attorney to the Board. This is open for inspection in the office of the secretary of the board.

CASE # 2 - 77 - ERNEST AND HELEN HOOKER - Installation of inground swimming pool.

Mr. Ernest Hooker was sworn and stated he lived at 48 Narrumson Road, Manasquan. Mr. Hooker explained that he wished to put an in-ground pool in his yard, but was four (4) feet short of the ten (10) foot side and rear yard setback. He stated he was in a residential zone (R-2). He stated they are to put up a wood fence to enclose the pool, the drain system will not affect any of the neighbors, and that there will eventually be lighting near the pool. He stated they had purchased the property in 1969 prior to the ordinance of the 10' setback for pools.

Mrs. Helen Hooker was sworn and stated she also lived at 48 Narrumson Road, Manasquan. She stated that there was to be no diving board, and the pool hours would not be late to disturb the neighbors. This pool was not to be a hang out for children. She stated that the consideration of the neighbors would be taken at all times.

Vivian Rollo - 59 Lakewood Road - questioned drainage problems and was told Lakewood Road sits higher than the Hookers property, so drainage would not affect her at all.

Mr. King moved the meeting recess for an open work session were the Hooker applications was discussed. When the regular part of the meeting was again in session, Mr. Newman moved that the application be granted and seconded by Mr. King and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. "No" None. The conditions to be stated in the resolution to grant this application would specify lighting of pool area and the location of the pool be in accordance with the sketch plan which was numbered A-1-A.

Evidence marked; A-1 - Application
 A-2 - Building Inspectors refusal
 A-3 - Affidavit of Service
 A-1-a- Plot plan with 6' set back
 A-1-b- Plot plan with 10' set back

Respectfully submitted

 Diane E. Reynolds

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Members present; Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright.
Mr. W. Peter Ragan, Attorney for the Board

Members Absent; Mr. Huebner and Newman

Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been sent to the newspapers in the form of an annual notice.

Mr. Wright announced that the minutes of the previous meeting were posted on the bulletin board. These minutes were moved as submitted by the secretary by Mr. VanSchoick, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. King, VanSchoick and Wright. "No" None.

Mr. Wright read a letter from the board attorney to Judge Blair requesting the use of the court room the second Wednesday of each month reason being recording equipment is now required by law. Permission was soo granted by the court.

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Mr. VanSchoick moved the "Rules and Regulations" resolution #77-5 be adopted seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright. "No" None.

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CASE # 3-77 VINCENT AND CATHERINE MCDERMOTT - ANTIQUE SHOP IN HOME

Attorney for Mr. McDermott - James A. DuPlessis Jr. , Highway 71 and Borrie Avenue - Brielle, N.J.

Mr. DuPlessis stated Mr. & Mrs. McDermott were owners of 93 Union Avenue, Blk 69 Lot 13. They wished to use a portion of their home for buying and selling antiques.

Mr. McDermott was sworn and stated that only the front part of the house was to be used; the shop would be open only 4 or 5 days a week from 11 a.m. to 4 p.m. - that there was ample parking for at least 8 cars on the side of the house - no cars would be parked in street-

- Marked into evidence at this time;
- A-1 Application
- A-2 Building Inspectors denial
- A-3 Proof of Service
- A-4 Affidavit of Publication
- A-5 Letter from Hans and Jeanne Strutz (No objection)
- A-6 Letter from Bernard Thompson (No objection)
- A-7 Property sketch

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Mrs. McDermott was sworn and stated - This business would supplement income - Entrance would be thru front of dwelling - storage would be in garage - no refinishing of antiques would be done on prmises - there would be no large deliveries - there was ample room in parking area so car could turn around and come onto the highway forward - no backing into highway traffic -

That there were compatible business in area - lawyers office on one side, insurance agency on other side - anouther antique business across the street -

Hearing adjourned for discussion.

518 Marked into evidence;

A-8 - Letter from Hawes & McAfee - No objection

Meeting reopened -

533 There were objectors in audience

541 Mr. VanSchoick moved that this application be approved, seconded by Mrs. Dillon with the following restrictions;

Selling of antiques be limited to first floor (Living room, dining room and front)

Garage area be used for storage only

Any sign to be made for advertising must be no larger than 3 foot long and 2 foot high.

The above motion was carried by the following vote; "Yes" Mrs. Dillon, Mr. King, Schneider, VanSchoick and Wright. "No" None.

589 Meeting adjourned.

BOARD OF ADJUSTMENT - REGULAR MEETING

Members present; Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright.
W. Peter Ragan, Attorney for the Board.
Mr. Newman was excused as case being heard was a conflict of interest.

Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been sent to the newspaper in the form of an annual notice.

Mr. Wright announced that the minutes of the previous meeting were posted on the bulletin board. These minutes were moved as submitted by the secretary by Mr. VanSchoick, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Huebner, King, Schneider, VanSchoick and Wright. "No" None.

CASE # 4-77 - BIG BLUE BOOSTERS FOR BOARD OF EDUCATION- ERECTION OF BULLETIN BOARD SIGN

611 Mr. Theodore Raffetto, 133 Fletcher Avenue, Manasquan - President of the Big Blue Boosters - was sworn in and stated; The Big Blue Boosters is a club of the High School and thru fund raising have been able to purchase a bulletin type sign for the front of the high school. This board will show dates of games at the school, other school events and possible use for community announcements if not being used by the school. It is to be a sturdy structure and fit in with the decor of the school.

At this time Mr. Ragan, marked into evidence the following for better identification in discussion;

- A-1 Application
- A-2 Building Inspector's denial
- A-3 Affidavit of Service
- A-4 Drawing of Bulletin Board to be erected
- A-5 Drawing of School property showing where sign is to be erected

668 Mr. Raffetto showed the board at this time and had marked into evidence a letter from the Board of Education, granting the Big Blue Boosters permission and thanks for the sign to be erected on school property. This was marked A-6.

A-7 - Architect's rendering of sign to be built.

702 Mr. Raffetto stated that there were provisions for the sign to be lighted, though it may not be done at installation as fund were not readily available for it.

720 No contract has been awarded for installation of sign as of yet. Have received several prices.

729 Mr. Raffetto stated that the sign would be 35' from the curb line or 26'6" from sidewalk and approximately 6' in front of the flagpole. It will be a one way sign facing the street with 6" high letters. The front will be enclosed in plexi-glass.

770 Mr. Raffetto felt that the appearance of this sign would be enhancing to the area, keep the public aware of the activities going on at the school and would be an asset to the community.

Mr. Raffetto stated that this project has had several years of thought behind it. The Board of Education will have control of the board after installation.

852 Ben Birch, Barbara Lynn Apts., Sea Girt, N.J. was sworn and stated he thought the sign would have brick columns with wood backing - Mr. King, board member stated the specs seem to specify all brick backing. This was to be looked into.

885 William E. Miller, 106 Broad Street, Manasquan was sworn and stated he as a property owner within 200 feet was not opposed to this project but felt that this sign was too massive for the area that they wish to place it. He also felt the location was poor to the point it might be a traffic hazard as people would have to almost come to a full stop to read as sign is facing street instead of being at a possible angle such as on the corner of Atlantic & Broad St.

1009 Recessed for discussion.

Mr. Raffetto during recess had discussed with other members of the Big Blue Booster in attendance at this meeting about possible relocation of sign, but felt this was the best spot for it as someday there may be addition to the high school and sign might have to be moved. This spot was sure of not being used.

It was questioned if they had contacted a policeman with knowledge of traffic control to see if this was a good area for sign. No they hadn't/

Mr. VanSchoick moved that this meeting be adjourned to Monday, August 15, 1977 in which time, the Board will get a letter of recommendation from the Police Dept. Also the the Board members will give an on premise site inspection of the area and the Big Blue Boosters can get an expert opinion of the architect as to the placement of the sign. This motion was seconded by Mrs. Dillon carried by the following vote. "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright. "No" None.

1110 Hearing adjourned

Mr. Wright read the budget report and gave board members a chance to go to courses being held by Rutgers for Zoning Boards. It was felt that these courses were a little too deep for a town the size of Manasquan.

Mr. Ragan was authorized to contact Mr. Serpentelli, Boro Attorney to discuss the possibility of a site plan ordinance.

Mrs. Dillon moved the meeting be adjourned, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. King, Huebner, Schneider, VanSchoick and Wright. "NO" None.

Respectfully submitted

Diane E. Reynolds
Secretary

AUGUST 15, 1977

Members present; Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright
 W. Peter Ragan, Attorney for the Board
 Mr. Newman was excused as case being heard was a conflict of interest.

1210 Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate had been given to the Coast Star and Asbury Park Press.

CASE # 4-77 - CONTINUATION OF BIG BLUE BOOSTERS FOR BOARD OF EDUCATION - ERECTION
 OF BULLETIN BOARD SIGN

1242 Mr. Birch, member of the Big Blue Boosters stated that the architect had been to site at the High School and had said the sign will not draw from the background of the school. Mr. Birch stated that the architect will draft a letter if the board so requires. It was the feeling of the board a letter should be drawn and Mr. Ragan stated it would be marked into evidence as A- 9.

1226 A-8 was marked into evidence as a letter from the Chief of Police and a traffic officer stating they felt the location of the sign would not be a traffic hazzard to passing cars.

All Board members had made an on site inspection as requested at the previous meeting.

Mr. Schneider moved that the board approve the application and that the attorney draw up the resolution of approval stating all facts heard and include the findings in the letter of the architect which is to be delivered to the secretary of the board. The motion was seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright.
 "No" None.

1342 Mr. VanSchoick moved the meeting be adjourned, seconded by Mr. Schneider and carried by the following vote' "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright. "No" None.

Respectfully submitted,

Diane E. Reynolds

Diane E. Reynolds
 Secretary

BOARD OF ADJUSTMENT - SPECIAL MEETING

1342 Members present; Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. W. Peter Ragan, Attorney for the Board

Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and Asbury Park Press for this special meeting.

1353 Mrs. Dillon moved the Resolution numbered 77-7 be accepted as drawn by the attorney for the Board ref; to the Big Blue Boosters; Mr. Huebner seconded the motion and it was carried by the following vote; ^{yes} Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright.* Mr. Newman abstained as this was a conflict of interest for him as he is a member of the Board of Education. It was requested by the attorney, that the Secretary for the Board so date this resolution as of 9-20-77.* "No" None.

1359 CASE # 5-77 - HENRY AND CECELIA FEE - PERMISSION TO LIVE IN TRAILER

Mrs. Fee was sworn and stated she lived at 91 Manito Road and on the 2nd of September their home was severely damaged by fire. They wish to live in a trailer on their property while house is being renovated.

At this time, Mr. Ragan, attorney for the Board, marked into evidence the following;

1364 A-1 Application
A-2 Denial of the Building Inspector and Code Enforcement Officer
A-3 Proof of Service

1375 Mrs. Fee stated that the house was unfit to live in as damage was done to cellar, two bedrooms, kitchen, and hall with extensive smoke damage. They tried to rent a winter rental and were denied as agents do not wish to rent a couple of months at a time. To find a motel or hotel, (none in Manasquan to fill their needs) would put them out of town and they have two sons going to Manasquan schools (one in the morning and one in the afternoon) and due to health reasons, she is unable to drive. They are renting a trailer so they could stay in Manasquan, and keep an eye on renovations and not to have to rely on friends to transport her or keep on the look out for insurance agents or any other person connected with settling claim.

1387 Mrs. Fee also stated, that all steps have been taken that are necessary to settle this claim as soon as possible although they did lose a week due to the Laobr Day Week-end.

With Mr. Ragan representing the Board he asked questions of Mrs. Fee and was told;

1411 The house with remain the same as before the fire when renovated; the neighborhood is residential; the Fees have lived there 12½ years; there would be no adverse effect on the neighborhood with the Fees living in a trailer while renovations are being done.

1425 Answering questions from the Board members, Mrs. Fee stated she had no time element when the job would be completed. Also her water and sewer were connected to the sewer line in the house as is the electric through special connection installed by Jersey Central Power & Light Co.

1522 With no further questions from the Board, Mr. Newman moved a resolution

be drawn in favor of the Fees being allowed to live in trailer with the following conditions;

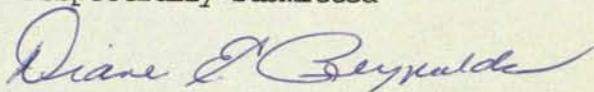
That construction be started as soon as possible, with the Fees moving into the completed home as soon as possible. The trailer will remain only as long as needed with a six (6) month time limit. Should the renovation take longer than the allotted time, the Fees will have to return to the Board of Adjustment for an extension of time.

This motions was seconded by Mr. Schneider, and carried by the following vote; ^{yes} Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. "No" None.

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Mr. Hueber moved the meeting be adjourned, seconded by Mr. Schneider and carried by the following vote; "Yes", Mrs. Dillon, Mr. Huebner, King, Newman, Schneider, VanSchoick and Wright. "No" None.

Respectfully submitted



Diane E. Reynolds
Secretary for the Board

001 Members present; Mrs. Dillon, Mr. Huebner,, King, Newman, Schneider and Wright.
Mr. Peter Ragan, Attorney for the Board

Mr. VanSchoick was absent - on vacation.

Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and Asbury Park Press in January 1977.

Mrs. Dillon moved the Resolution numbered 77-8 be accepted as drawn by the attorney for the Board ref; Henry and Ceceila Fee. Mr. Schneider seconded the motion and it was carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner King, Newman, Schneider and Wright. "No" None.

CASE # 5-77 -ATLANTIC MARINE CONSTRUCTORS

59 Mr. Everett J. Wataha, General Superintendant of the Atlantic Marine Constructors stated there was no attorney to represent their case which is to use the property on Third Avenue, owned by the American Timber Company for a staging area to erect pipe launch system and assembling of pipe.

112 Mr. Wataha was informed since this was a corporation seeking a variance, he should be represented by an attorney and this meeting would have to be adjourned until an attorney was retained. Mr. Wataha stated he did not know he needed an attorney. He had never had a problem before and was told by Mr. Wright he asking to do this project in a residential zone.

170 It was suggested by the Board that before the next meeting that Mr. Wataha get certification of the map that was submitted and also that the corporate seal be put on the letter from the American Timber Company giving permission to the Atlantic Marine Constructors to use the Third Ave. property.

355 Mr. Ragan, attorney for the Board, requested that the Borough Engineer, Mr. Farrell be asked to attend the next meeting also.

490 Mr. Schneider moved this meeting be adjourned until October 20, 1977 at 8:00 P.M. with notice given to the Asbury Park Press and the Coast Star. This motion was seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Newman, Schneider and Wright. "No" None.

There was some discussion on this project by the board and the audience but all were advised by the board attorney that to be part of the record, they should come to the October 20, 1977 meeting.

497 Motion was made to adjourn, seconded and carried unanimously.

Respectfully submitted,

Diane E. Reynolds

Diane E. Reynolds
Secretary for the Board.

497 Members present; Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright.
Mr. Newman was absent due to work obligations.
Mr. Peter Ragan, Attorney for the Board.

The meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Asbury Park Press and the Coast Star on October 17, 1977.

Mr. Huebner made the motion the minutes of the last meeting be approved as given, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider, VanSchoick and Wright. "No" None.

CASE # 5-77 ATLANTIC MARINE CONSTRUCTORS : USE OF PROPERTY ON THIRD AVENUE

518 Mr. Thomas VanDam, of Winne, Banta, Rizzi and Harrington Esq. of Hackensack, N.J. stated he was an attorney and would represent the Atlantic Marine Constructors. At this time he placed into evidence the following documents;

A-1 Affidavit from the American Timber Co. giving permission to the Atlantic Marine Constructors to go before the Board of Adjustment to request a variance to use the property owned by American Timber Co. on Third Avenue.

A-2; Affidavit from Mr. Wataha that showed the site plan and proposed use of the property in question.

A-3; Letter from the Department of Environmental Protection dated 10/11/77.

A-4; Letter from the United States Department of Agriculture (Soil Conservation Service - dated 10/17/77

A-5; Atlantic Marine Constructors "Letter of Intent" which Mr. VanDam stated would be further discussed when He had Mr. Wataha as a witness on the stand.

The secretary of the board placed into evidence the following;

611 A-6; Application from the Atlantic Marine Constructors

A-7; Letter from the Atlantic Marine Constructors to Mr. Ianelli, the Code Enforcement Officer requesting permission to use property.

A-8; Letter of denial from the Code Enforcement Officer

A-9; Affidavit of service with copy of the letter served on residents within 200 feet and attached list of residents notified.

645 Mr. Everet J. Wataha was sworn and stated he was the General Superintendent of Gates Construction Corporation which is a partnership in Atlantic Marine Constructors. He stated his duties were to oversee the work in the field, coordinate findings with the main office and the field officials. He stated the project in question would be located on the Third Avenue property in the dune area. The section is 400' wide running east and west and 1300' long running north and south. The west side is bordered by sand dunes, the north side by sand dunes, the south side by the Manasquan Inlet and on the east side by homes located on Third Avenue.

672 When Mr. Wataha was questioned on the past use of the property, he knew of none except the staging program that was there last year and is the same type of operation as the Atlantic Marine Constructors. Mr. Wataha described the procedures of this project as follows; pipe brought in by truck, pipe welded together, floated into inlet by barge, floated to site at 23rd Street in seaside park for the Ocean County Sewage Dept.

OCTOBER 20, 1977

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Stated the size of the pipes is 54" in diameter and 40' in length and these are welded together. He also stated there would be an ocean going tug, two auxiliary boats, and this would be a daylight operation and boats would be anchored on the property. Storage of vehicles would be on the property.

677

There will be approximately 10-12 men. 2-3 welders, 3-4 laborers, a Superintendent, a time keeper and 2 operation engineers.

732

Mr. Wataha stated he felt this operation would be completed by June 1, 1978, weather permitting. He stated they already had lost a month so they would be having a late start. He also stated he had done jobs like this one in Sandy Hook, Long Branch, Neptune, Atlantic City and there is one going in Bethany Beach, Delaware at the present moment.

747

Mr. Wataha said there would be three trailers located on the site, one for office, one for storage of tools and one for workmen to change clothes in. These would be 8' wide and 35' long trailers.

777

Mr. Wataha stated he been on the site with the Manasquan Borough Engineer, and Mr. Dore, District conservationist. After discussion with these men, he agreed to put up snow fence with the possibility of draping it with burlap to keep sand from blowing through. Snow fence to be located 10' from the road and also at the top of the hill which is approx. 250 feet from 3rd Ave.

796

The board was informed that the porto-san facilities would be located on the north section of the site behind the foliage which would obstruct the view of these from the street.

825

Mr. Wataha at this time agreed to the items in the "Letter of Intent" namely; to install 400' of snow fence to be draped with burlap; agreed to leave the snow fence after project is completed until establishment of new growths is stabilized; to comply with the U.S. Dept. of Agriculture - Soil Conservation Service respecting the planting of ground cover to stabilize the sand; to instruct all employees that as much as possible to keep noise down as not to disturb the neighbors.

848

Mr. Schneider questioned what type of welding machines to be used, and was told by Mr. Wataha they are Lincoln diesel fueled machines. Mr. Wataha stated that in addition to the welding machine, there would be 2 side booms, a dozer and a small crane on the barge located at the site.

879

Mr. VanSchoick questioned if there would be any local people hired for this project and was told that the company is obligated to hire union men but that the union tries to get men to work living in the immediate area.

915

Mr. King asked what the working day hours would be and Mr. Wataha said according union rules also, the men are to work a 10 hour day. The day begins at 6:30 and ends at 5:30 P.M. There will be no overtime except on a Saturday and weather was bad during the week.

Mr. King also wanted to know how many truck loads would be coming into Manasquan and was told approximately 150 with a route suggested by the Police Dept. When asked about damage caused by these large trucks to the streets, Mr. Wataha supposed company would repair damage. Mr. Wataha stated most of the little items needed for the job will be purchased at local merchants.

Mr. King also wanted to know where combustibles i.e. gas, air and Oxygen tanks would be stored and was told they would be near storage trailer and put on wooden type frame and stored standing up with safety caps screwed on full and empty tanks.

987

When asked by Mr. VanSchoick why this couldn't be done at Seaside Park - he was told this piping was too large to pull out of the 23rd Street exit into the water.

1103 Mr. VanDam asked of Mr. Wataha how often he felt the trucks would be coming into Manasquan over the 8 month period and was told maybe one a day or one every other day. It takes 3 to 4 days to put together a 12-13 piece section.

1124 Mr. Ragan asked Mr. Wataha's qualifications, and was told he had no degrees. He has been with this company 6 years and became general superintendent when a plane crashed carrying 4 of the Gates Construction employees of which two were the men who ran pipe work. Mr. Wataha stated he has worked at the Newark Airport on the bridges there, had experience in high level bridges over the parkway to the point of the water marine construction part of these bridges.

1146 When asked how often he would be at this construction site, the board was told one or two days a week.

Also asked of Mr. Wataha was did he feel this project would have any effect on the neighborhood since it was zoned as R-1, single family dwelling and he felt it would not as long as this company left the project site in good if not better shape than before and also this is only a temporary project.

Mrs. Doris Ridley of Stockton Lake Blvd. asked the weight of the trucks to making deliveries and was told they would be probable 30 ton trucks with the pipe sections weighing at least 15 ton.

Mrs. Jessie Clauss of 550 Whiting Ave. questioned the plan of entry onto this property of which there was no definite answer.

There were several residents in the area who questioned Mr. Wataha on some of the previous testimony.

1427 Mr. John McMullen stated if the board approved this variance he felt a penalty clause should be inserted in the form of a fine for each day after Memorial Day until project completed.

1438 Miss Cathy Yard was sworn and stated she as the Vice President of the American Timber Company of Sea Girt. She at this time answered one of the residents questions pertaining to policing the area and stated that American Timber Co. Had no intention of policing the area as this was only a temporary condition and that conditions given by the Board if variance is approved, were not followed the variance could be revoked. Also was stated by Miss Yard, when contract is drawn up, restoration of the area would definitely be one of the terms.

1479 Mr. William Farrell, Jr. was sworn and stated he was the Engineer for the Borough of Manasquan, employed by T & M Associates of Toms River, N.J. He stated he had been requested by the Mayor and Council to look at the site in question. He had met with Mr. Wataha at the site and felt a variance was in order, also state approvals would be necessary to obtain such as CAFRA, Riparian Section of Department of Environmental Protection and the Soil Conservation Department.

Mr. Farrell stated he was a licensed professional engineer of New Jersey and has a Bachelor and Master's degree in Engineering- and is Vice President of T & M Associates. He has done municipal work in Woodbridge and Morristown.

1610 Mr. VanDam questioned Mr. Farrell on the fact of the "Letter of Intent" be enough evidence to verify Mr. Wataha to put property back in good shape in lieu of a site plan being made up of the area. Mr. Farrell felt he could not comment on this question due to the fact he had no plan in front of him to read.

1610 A-10 - Letter from Mrs. Donogan, resident within two hundred feet - put into evidence for exhibit only; letter stating disapproval of project.

1636 Mr. VanDam's summation - feels application should be granted for this temporary project, federally funded with permits from N.J. to do. Previous users not applicable to this applicant. This applicant has the opportunity to use this land and has submitted a "Letter of Intent" and has agreed to letter from Soil Conservation Dept. There is a urgent need for this project and this a highly respectable corporation and he felt there will be no impairment to the zone scheme or will not impair public benefit.

1770 With more discussion on this application from Board members and members of the audience the hearing was finally closed as far as the public portion.

Mr. Ragan than told the board, they had several ways to handle this now; They could hold decision and take to executive meeting; make resolution of granting to be approved at next meeting ; make resolution of denial to be approved at next meeting, or continue hearing so Board members can visit the site.

1775 Mr. King moved that due to the essence of time for this company, the application be denied reason being there would be substantial detriment to the public good, erosion and soil problems, noise problems, road problems, extra police for policing the area, interference with opening of the borough summer season and no benefit can be derived from this project if approval is given for the citizens of the Borough of Manasquan. This motion was seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and VanSchoick. Mr. Wright abstained.

Mrs. Dillon moved the meeting be adjourned, seconded by Mr. Huebner and carried unanimously.

Respectfully submitted,

Diane E. Reynolds
Secretary for the Board

Members present; Mr. Harry Huebner , C. Raymond King, Kenneth Schneider, James P. VanSchoick.

Mr. Peter Ragan, Attorney for the Board.

Mrs. Ruth Dillon, Roger Newman - Absent due to previous obligations
Mr. C. Howard Wright absent due to illness.

The meeting was called to order with the salute to the flag. Mr. Harry Huebner was chairman for this meeting due to the absence of Mr. Wright. Mr. Huebner announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and the Asbury Park Press on October 17, 1977.

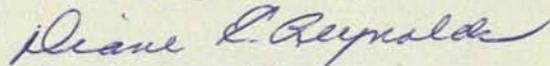
Mr. Schneider moved the minutes of the last meeting be approved as given, seconded by Mr. VanSchoick and carried by the following vote; "Yes" Mr. Huebner, King, Schneider and VanSchoick. "No" None.

Mr. Ragan, Attorney for the Board discussed with Mr. Richard Wight, Attorney for the Ward Wight Agency, applying for a free standing sign stated that is was a "d" variance and needs a five (5) member board. The decision needs five votes. It was then agreed by the attorney for the applicant and the board to postpone the hearing until January 11, 1978 at 8:00 P.M. in the Boro Hall. The Service had been verified and would be accepted for the next meeting as stands. Mr. VanSchoick so moved this hearing be postponed until January 11, 1978 at 8:00 P.M., seconded by Mr. Schneider and carried by the following vote; "Yes" Mr. Huebner, King, Schneider and VanSchoick. "No" None.

Mr. King moved that the attorney for the board prepare resolutions announcing meetings dates in official newspapers, Appointment of an attorney for the board, and appointment for a secretary for the Board. This was seconded by Mr. Schneider and carried by the following vote; "Yes" Mr. Huebner, King, Schneider and VanSchoick. "No" None.

It was moved the meeting be adjourned and this was carried unanimously.

Respectfully submitted;



Diane E. Reynolds
Secretary

REGULAR MEETING - BOARD OF ADJUSTMENT, JANUARY 11, 1978

Members present; Mrs. Ruth Dillon, Mr. Harry Huebner, King, Schneider, and Wright.

Mr. Peter Ragan, Attorney for the Board

Mr. Roger Newman resigned from the Board this date prior to the meeting. Mr. James VanSchoick was not re-appointed at this meeting.

The Meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and the Asbury Park Press.

Mr. Huebner moved the minutes of the previous meeting be accepted as presented, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright.

Mr. Schneider moved the Resolution #1-78 naming C. Howard Wright as Chairman of the Board of Adjustment for the year 1978, seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider. "No" None. Mr. Wright abstained from voting.

Mrs. Dillon moved the Resloution #2-78 naming Harry Huebner as Vice-Chairman of the Board of Adjustment for the year 1978, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, King, Schneider and Wright. "No" None. Mr. Huebner abstained from voting.

Mr. Huebner moved the Resolution #3-78 making the meeting date of the Board of Adjustment the second Wednesday of each month for the year 1978, seconded by Mr. Schneider and carried by the following vote; "yes" Mrs. Dillon, Mr. King, Huebner, Schneider and Wright. "No" None.

Mrs. Dillon moved the Resolution #4-78 naming the Asbury Park Press the official newspaper of the Board of Adjustment, seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. King, Huebner, Schneider and Wright. "No" None.

Mrs. Dillon moved the Resolution #5-78 making Diane E. Reynolds, secretary for the Board of Adjustment, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright. "No" None.

Mr. Schneider moved the Resolution #6-78 naming W. Peter Ragan, attorney for the Board of Adjustment for the year 1978, seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright. "No" None.

Mrs. Dillon moved we give the proposed budget needed by the Board of Adjustment for the year 1978 to Mayor and Council for consideration, seconded by Mr. King and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright. "No" None.

HEARING FOR THE WARD WIGHT REAL ESTATE AGENCY - FREE STANDING SIGN

Attorney for the Ward Wight Real Estate Agency was Richard Wight, Highway 71 and Borrie Avenue.

Evidence for the hearing was presented at this time and marked as follows;

A-1 - Application

A-2 - Letter of denial from the Code Enforcement Officer

A-3 - Affidavit of Service (In order)

- A-4 - Plot Plan
- A-5 - Drawing of sign to be erected
- A-6 - Photographs numbered 1 thru 8

Mr. Wight at this time described the photographs presented to the board showing signs around the area near the agency.

Mr. Wight then gave demensions of the sign to be erected at the Agency - four (4) feet high and six (6) feet wide - with used brick flower box at base of sign.

Mr. Wight gave reasons for denial at last presentation before the Board of Adjustment by the Real Estate Agency being - the sign was to be free standing, too close to sidewalk and a temptation to children. He stated this sign was not to be free standing, nearer to the building and would not interfere with the railroad right of way. He stated sign would not be illuminated is Board so desired. He stated the sign would be erected in accordance with the wished of the Board.

Mr. Wight sated the Agency would be willing to stake out the area where the sign was to be erected so Board members could make an on-site inspection.

Mrs. Marion VanSickle, 12 Wyckoff Avenue, Manasquan, felt the sign was not needed in this area and feels if the Board gave permission, this would start a trend.

Mr. William Wight was sworn and stated he resided at 917 Woodview Avenue in Brielle. He stated there would be no plastic on the sign. It would all be of wood, painted with removable letters and there would be no billboard effect. The lettering on sign would be strictly as in drawing. No special sales notices. The sign was to promote the location of the agency only.

At this time the secretary read to letters of oppostion from property owners within 200 feet; Mrs. Olsen, East Main Street and Mr. Jones, also East Main Street.

At this time, Mr. Huebner moved the public hearing be closed, seconded by Mrs. Dillon and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright. "No" None.

Mr. Ragan explained the options the Board had on the decisions for this hearing, and it was decided to have the Board make an on-site inspection of where the sign was to be placed. Mr. Wight was requested to place the stakes at the location in the morn - ing.

Mr. Wight was also asked if he would be willing to waive the 120 days required by law for the Board to make a decision. He stated he would be willing.

Mr. King moved the Board reserve decision until the March meeting, so all members could make an on-site inspection and the five members needed to vote on decision would be present. This motion was seconded by Mr. Schneider and carried by the following vote; "Yes" - Mrs. Dillon, Mr. Huebner, King, Schneider and Wright. "No"None.

Meeting for the hearing portion was closed.

Mr. Schneider at this time moved the motion the attorney draw up a resolution authorizing the attorney for the board to examine and study the procedures of this Board, and make necessary recommendations to the Board so we comply with the requirements of the Open Public Meetings Act. This was seconded by Mr. Huebner and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Schneider and Wright "no" None.

Meeting was adjourned on motion and carried unanimously.

Respectfully submitted
Diane E. Reynolds
Diane E. Reynolds, Secretary

Members present; Mrs. Ruth Dillon, Mr. Harry Huebner, Raymond King, Ed Piotrowski, Kenneth Schneider, and James VanSchoick.
Mr. W. Peter Ragan, Attorney for the Board.

Mr. Howard Wright was absent due to illness.

The meeting was called to order with the salute to the flag. Mr. Huebner was chairman for the Board due to the illness of Mr. Wright. He announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975 and adequate notice had been given to the Coast Star and the Asbury Park Press on January 17, 1978.

Mr. Schneider moved the minutes been accepted as presented to the Board, seconded by Mr. Piotrowski and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Piotrowski, Schneider and VanSchoick. "No" None.

Mr. VanSchoick moved the adoption of the Resolution #7-78 changing the Official Newspaper for the Board from the Asbury Park Press to the Coast Star, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner King, Piotrowski, schneider and VanSchoick. "No" None. This resolution replaces #4-78, which incorrectly named the Asbury Park Press the official newspaper.

Mrs. Dillon moved the adoption of the Resolution #8-78 reference to the Open Public Meetins Act, seconded by Mr. Schneider and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Piotrowski, Schneider and VanSchoick. "No" None. The resolution gives the attorney for the board authority to examine and study the procedures fo this Board and make such recommendations as he may deem necessary to insure that this Board complies with all the requirements of the above referenced Open Public Meetings Act.

At this time it was announced due to the illness of Mr. Wright, the hearing for the Ward Wight Agency for a free standing sign could not be heard, as it is required to have a five member vote of approval for a "d" variance. Mr. Piotrowski and Mr. VanSchoick were not members of the board for the previous hearing and were eligible to vote. This hearing is postponed until the meeting in April. The date will be April 12, 1978. It was again noted the attorney for the agency, Mr. Richard Wight had waived the 120 day deadline for decision at the previous meeting in January.

Mr. Piotrowksi moved the meeting be adjourned and this was passed unanimously.

Respectfully submitted,

Diane E. Reynolds

Diane E. Reynolds
Secretary

Members present; Mrs. Ruth Dillon, Mr. Harry Huebner, Raymond King, Ed Piotrowski, James VanSchoick.
Mr. Peter Ragan, Attorney for the Board

Mr. C. Howard Wright and Kenneth Schneider were absent.

The meeting was called to order with the salute to the flag. Mr. Huebner, Acting Chairman, of the Board announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and the Asbury Park Press on January 17, 1978.

Mr. VanSchoick moved the minutes be accepted as presented to the Board, seconded by Mr. Piotrowski and carried by the following vote; "Yes", Mrs. Ruth Dillon, Mr. Huebner, King, Piotrowski and VanSchoick. "No" None.

The Secretary of the Board, announced that the hearing for the Ward Wight Agency, to be continued tonite had to be postponed due to the fact there has to be five members present to vote on a "D" variance. There are five members here but two were not members when the hearing originated.

HEARING ON WILLIAM CONRAD- MAKE ADDITION TO PRESENT HOUSE BLK 109 LOT 13B

Mr. William Conrad was sworn and stated he lived at 131 McLean Avenue. At this time the attorney for the Board, put the following into evidence.

- A-1 - Variance Application
- A-2 - Letter of denial to Mr. Conrad from the Construction Official
- A-3 - Affidavit of Service and List of property owners certified by the Tax Assessor and so stated by secretary all is in order.
- A-4 - Plans drawn by Mr. Conrad on proposed addition - three (3) pages.
- A-5 - Certified copy of tax map showing Conrad property
- A-6 - Copies of three (3) photos submitted by applicant

Mr. Conrad stated he would like to enclose patio and stay within the same line as the house. The house has been located at this address for a least 50 years. The house is three (3) feet from the property line. The addition would add twelve feet (12) to the back of the house. He also stated he has owned the property for some 38 years.

Mr. Conrad stated the purpose of the addition was to make more living space, as his wife has an organ which is now located in the dining room and this will be moved to new room. There is to a chimney with a hearth and a Franklin stove also located in this room.

Mr. Joseph P. Floden, 27 No. Jackson Avenue, stated his property backs up to Mr. Conrad's and sees no reason for not granting the variance to Mr. Conrad. He stated he knew Mrs. Conrad was not a well woman and this room would give her great pleasure and ease some of the cramped conditions that are in the home now.

A letter from Mrs. William Coulter, owner of property at 43 North Jackson was read into the minutes stating her objection as "fearful that granting this variance could someday prove a hardship to us". There were no other objectors in the audience.

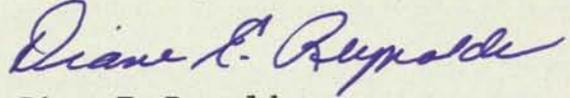
Mr. VanSchoick moved the board instruct the attorney to draw up a resolution granting the variance to Mr. Conrad, seconded by Mr. Piotrowski and carried by the following vote; Mrs. Dillon, Mr. Huebner, King, Piotrowski and Van Schoick. "No" None.

It was moved by Mr. VanSchoick we have a special meeting on April 26, 1978 at 8:00 P.M. at Borough Hall to try to finish the Ward Wight Agency variance. and

possibly have the resolution ready for the Conrad variance. This was seconded by Mr. Piotrowski and carried by the following vote; "Yes" Mrs. Dillon, Mr. Huebner, King, Piotrowski and VanSchoick. "No" None.

Motion was made meeting be adjourned.

Respectfully submitted;



Diane E. Reynolds
Secretary

REGULAR MEETING OF THE BOARD OF ADJUSTMEN, BOROUGH OF MANASQUAN

MAY 10, 1978.

Members Present: Mr. C. Raymond King, Mr. James P. Van Schoick, Mr. C. Howard Wright, Mr. Harry Huebner, Mrs. Ruth Dillon, Mr. Kenneth Schneider, Mr. P. Edward Piotrowski, and Mr. W. Peter Ragan, Attorney for the Board.

Mrs. Diane Reynolds, Secretary, was absent due to illness.

The meeting was called to order with the salute to the flag. Mr. Wright, Chairman, announced this was an open public meeting held in accordance with the Open Public Meetings Act of 1975 and adequate notice had been given to the Coast Star and the Asbury Park Press.

Minutes of the previous meeting were adopted at the Special Meeting.

Old Business: Ward Wight Agency application for variance to construct a free standing sign. There was a review of the facts and discussion by the Board, exclusive of Mr. Van Schoick and Mr. Piotrowski, who were ineligible to vote. Mr. King moved for adoption of a Resolution approving the variance, seconded by Mrs. Dillon, and the Resolution No. 11-78 was adopted by the following vote: "Yes" - Mr. King, Mr. Wright, Mr. Huebner, Mrs. Dillon and Mr. Schneider. "No" - None. Mr. Ragan, attorney for the Board, was instructed to draw the written Resolution.

Mr. King moved for a recess, which motion was seconded by Mr. Van Schoick and unanimously carried upon roll call vote.

The meeting was reconvened at 9:00 P.M. Mr. Coffey, applying for a variance for premises at 80 Stockton Lake Boulevard, was informed we cannot have a public hearing, and hearing on his application was adjourned to the next regular meeting or a special meeting to be called, for which no additional public notice is needed.

Upon motion made by Mr. Piotrowski, seconded by Mr. Van Schoick and unanimously carried, the meeting was duly adjourned.

Respectfully submitted,

W. Peter Ragan, Attorney
Acting Secretary

BOARD OF ADJUSTMENT - SPECIAL MEETING

MAY 22, 1978

MEMBERS PRESENT; Mrs. Ruth Dillon, Mr. Harry Huebner, C. Raymond King, Ed Piotrowski, Kenneth Schneider, C. Howard Wright.
W. Peter Ragan, Attorney for the Board

James P. VanSchoick was absent.

Minutes for the May 10th meeting will be submitted to the Board as soon as the attorney puts them together as the clerk for the Board was absent at this meeting and no tape was run.

HEARING FOR SHAUN COFFEY - 80 Stockton Lake Blvd. -

Mr. Shaun Coffey was sworn and stated he resided at 310 Newark Avenue, Bradley Beach and owns the property at 80 Stockton Lake Blvd. He purchased this property November 1977 and has been renovating it. He stated he was under the impression he would not need a variance to do what he wanted to do ^{to} this home, until he went to obtain the second permit. If Mr. Coffey could not have door where he wanted to place it he would have to tear out one of the front windows and put it there and he felt this would give a chicken coop effect which he is trying to get away from now.

The following were placed into evidence and so marked;

- A-1 - Notice of appeal
- A-2 - Denial from building inspector
- A-3 - Proof of Service
- A-4 - Survey of property
- A-5 - Rendering of dwelling to be built

After questioning from Mr. King, Mr. Coffey stated his home is pretty much in set-back line with the others within 200 feet. It was also felt the shape of the property made a hardship variance out of this application. The connecting of the garage to the house will be of no detriment to the public good, and will make the present building more attractive. Mr. Coffey stated there would be no living quarters in the attached garage and there would be no change in the grade of the property.

Mr. Wright moved the attorney draw up a resolution entering the above facts granting Mr. Coffey this variance, seconded by Mrs. Dillon and carried by the following vote: "yes" Mrs. Dillon, Mr. Huebner, King, Piotrowski, Schneider and Wright. "No" none.

* It was also noted by the board, there were no objectors from the audience.

Motion was made the meeting be adjourned and carried unanimously.

Respectfully submitted,

Diane E. Reynolds
Clerk/Sec. to the Board

BOARD OF ADJUSTMENT - REGULAR MEETING JUNE 14, 1978

MEMBERS PRESENT: Mr. Harry Huebner, C. Raymond King, Ed Piotrowski
Kenneth Schneider, James VanSchoick and C. Howard Wright.
W. Peter Ragan, Attorney for the Board

Mrs Ruth Dillon was excused.

The meeting was called to order with the salute to the flag. Mr. Wright, Chairman of the Board, announced this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and the Asbury Park Press.

Mr. VanSchoick moved the minutes of the May 10, 1978 meeting be accepted as presented, seconded by Mr. Piotrowski and carried by the following vote; "yes" Mr. Huebner, King, Piotrowski, Schneider, VanSchoick and Wright. "No" none.

Mr. Schneider moved the minutes of the May 22, 1978 be accepted as presented with the following change; Paragraph 3, line 2; the word "shade" be changed to "shape", seconded by Mr. King and carried by the following vote; "yes" Mr. Huebner, C. Raymond King, Piotrowski, Schneider, VanSchoick and Wright. "No" none.

HEARING J.C. WILLIAMS CO. - FREE STANDING SIGN

Robert P. Ward, Esq., was the attorney for the J.C. Williams Co.

Marked into evidence were the following:

- A-1 Application for the variance
- A-2 Affidavit of Service
- A-3 Denial from the building Inspector
- A-4 Architect rendering of the proposed sign
- A-4A Additional copy of the plot plan, with notations in colored pencil
- A-5 Architect rendering of the proposed sign
- A-6 Architects rendering of the formal sign

Mr. Ralph Logan, was sworn and stated he was the Vice President of the J.C. Williams Co. He stated the original sign was erected in February of 1966 and was a 50 foot, one sided sign. This was then cut down to 38" in 1971 when the railroad overpass was deleted and a temporary bypass made. Then in April of 1978, the sign was removed to make it possible for a culvert to be built in this area to eliminate the flooding at the Broad Street Elem. School. The new sign would be erected approximately 60 feet south of the former sign in an area approved by the state.

Marked into evidence as A-7 - Letter from the Department of Transportation.

This sign, if erected will be 135 feet from Stockton Lake Blvd. and would be street level. At the present time, only one side of this sign would be lighted as the advertisement for the Southbound side does not require lighting. It was stated the original sign was only one sided and 50 feet long and the proposed sign is 25' long and double sided. The area where sign is to be erected is leased from the N.Y. and Long Branch railroad. It would be located some 40 foot from the roadway. The lighting for this sign would not be flashing, or colored. Lighting would be from dusk until midnight.

Marked into evidence were photos A-8 a and b. A is photo of the previous 50' sign and B is the structure of the proposed sign.

When questioned by the board, it was explained the Board attorney the

variance is a "d" variance with Special reason hardship.

Mr. Logan then took evidence up to the board members and explained several items and had discussion with the board.

It was questioned by the Board if possibly a police report stating what the department thought of the location of this sign was needed.

The section in Zoning Ordinance - Article 18, Section 98:2 was then mentioned, stating billboards were prohibited in the Borough of Manasquan.

Mr. VanSchoick moved the Attorney for the Board, to draw up a resolution of denial for this variance stating that this is going to be two signs instead of the original one sided sign and according to Article 18, Section 98:2, billboards are prohibited in the Borough of Manasquan. Mr. King requested this be amended to also state, the reason for the "d" hardship has not been shown. This motion was so amended seconded by Mr. King and carried by the following vote; "Yes" Mr. Huebner, King, Piotrowski, Schneider, VanSchoick. "No" Mr. Wright.

This hearing is to be voted on at the July 12th meeting.

HEARING: FRANK BERTUCCI - FREE STANDING SIGN

Frank Bertucci was sworn and stated he lived at 27 Broad Street in Manasquan and was in partnership with Sue and Maria Bertucci on property in question.

Marked into evicence were the following exhibits;

- A-1 Application
- A-2 Deniel to keep signs erected from Code Enforcement Officer
- A-3 Affidavit of Service
- A-4 Plot plan of property in question
- A-5 Three photos of sign presently erected.

Mr. Bertucci stated he now had three signs erected showing the property he purchased and made into a parking lot for his restuarant "Marie's". He knew that a place of business could not have free standing signs, that these signs had to be flat against the building but since this was an open lot with no building, he did not realize he violated the ordinance. This lot is located between Ralph's Market and Krauser's.

Mr. Bertucci stated he purchased this lot in March of 1978, cleaned up the area which was unsightly and made it into a parking lot. He felt this helped the parking on Main Street by keeping his customers off the street. Also the other merchants customers use the lot too. He stated even though the signs state "all others towed" he would not follow through on it. That is to discourage all night parking. He also stated this lot would be an asset to the town in the winter when the town wanted to plow Main Street. Cars could be parked in this lot. Also the lot has been used for reviewing stands for parades.

It was also stated there is no entrance to this lot from Main Street. Entrance has to be made from Squan Plaza, or thru the passageway between Ralph's Market and Maria's Restuarant.

HEARING : FRANK BERTUCCI - FREE STANDING SIGN CON'T

This property goes up right next to Ralph's Market but there is a 10 foot easement between this lot and Krauszers' building which is owned by Dennis Campbell.

When questioned, Mr. Bertucci stated his property in back of the restuarant only went 15 feet beyond kitchen area which would hold approximately five cars. He has maintained the rest of the lot by filling in the pot holes and having the snow removed in the winter, but this property belongs to the movie theater and they would not help in this cost of these items. He also stated he would like to light the parking lot in question, but was hesitant when he got the notice on the signs.

Mr. Bertucci also stated he wanted to put some form of protection at the Main Street side of this lot to prevent people trying to exit to Main Street.

Mr. Huebner moved that the attorney draw up a resolution to permit Mr. Bertucci to continue to have his free standing signs designating this parking area, and stating this was not a detriment to the public good. This variance should be granted with the stipulation that an addition to these signs be made stating entrance to this lot is from the rear. The motion was seconded by Mr. Piotrowski and carried by the following vote: "Yes" Mr. Hæebner, King, Piotrowski, Schneider, VanSchoick, and Wright. "No" None.

This resolution will be read at the July 12, 1978 meeting.

New Business;

It was suggested by the chairman of the board that the board purchase eight copies of the book titled; "Handbook on Zoning Administration for Zoning Boards of Adjustment, Planning Boards and Governing Bodies. Mr Piotrowski moved these be purchased, seconded by Mr. Schneider and carried by the following vote; "Yes" Mr. Huebner, King, Piotrowski, Schneider, VanSchoick, and Wright. "No" None.

Meeting was adjourned on motion and carried unaminously.

Respectfully submitted,

Diane E. Reynolds
Secretary for the Board

jeb

REGULAR MEETING OF THE BOARD OF ADJUSTMENT, BOROUGH OF MANASQUANJULY 12, 1978

Members present: Mr. Harry Huebner, Mr. C. Raymond King, Mr. Edward Piotrowski, Mrs. Ruth Dillon, Mrs. C. Howard Wright and Mr. W. Peter Ragan, Attorney for the Board.

(Mrs. Diane Reynolds, secretary, was absent, having resigned as employee of the Borough.)

The meeting was called to order by the chairman, Mr. Wright and handled on an informal basis, there being no applications to be considered. The chairman announced the resignation of the Board secretary. A motion was made to appoint Mrs. Ruth Dillon acting secretary; moved by Mr. King, seconded by Mr. Piotrowski. All members present were in agreement. A permanent secretary will be sought.

Minutes of the previous meeting were adopted.

RESOLUTION 13-78, presented to the Board by Attorney Ragan, concerning the denial of the J.C. Williams Company's request to relocate the billboard sign, was moved for adoption by Mr. Piotrowski, seconded by Mr. Huebner and carried by the following vote: "Yes" Mr. Huebner, Mr. King, Mr. Piotrowski, Mr. Wright and Mrs. Dillon; acting secretary was advised by atty. Ragan to send a copy of this resolution to Atty. Robert P. Ward, Bricktown and to publish notice of the Boards' decision in the Coast Star.

RESOLUTION 14-78, also presented to the Board by atty. Ragan concerning the Bertucci request for free-standing signs, with certain terms and conditions, was moved for adoption by Mr. Huebner, seconded by Mr. King and carried by the following vote: "Yes" Mr. Huebner, Mr. Piotrowski, Mr. Wright, Mr. King and Mrs. Ruth Dillon. Acting sec'y. was advised to publish notice of the Boards' decision in the Coast Star.

Mr. Wright volunteered to look into the matter of the handbooks which Diane had planned to order for the board members.

There being no further business to be considered, a motion to adjourn was made by Mr. Piotrowski and seconded by Mr. Huebner.

Next meeting is scheduled for August 9th.

Respectfully submitted,

Ruth Dillon, Acting Secretary

jeb

REGULAR MEETING OF THE BOARD OF ADJUSTMENT, BOROUGH OF MANASQUAN

Held on August 9, 1978

Members present: All in attendance including P. Ragan, atty.

Tape recorder reading was 000

Mr. Howard Wright, chairman, called the meeting to order; announced it as an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the newspapers. Salute to the Flag was given; minutes of previous meeting were reviewed, moved for adoption by K. Schneider and seconded by H. Huebner.

The hearing for variance was requested by Willard Smith, 419 Beachfront who anticipates moving present dwelling off site and replacing with an all year round home of same dimension.

Stephen Keane, Belmar, attorney for the Smiths presented the following as evidence: A1, the Smith Plot Plan; A2, Carl Yard Plot Plan, A3 Building Inspector's Denial; A4 Affidavit of Publication; A5 Affidavit of Proof of Service; A6a picture to show front line of dwelling, has screened porch matching other homes; A6b, same front view; A6c to show distance between houses on North side. A7 Letter from American Timber re: land for new site. House is in R4 zone, requiring 3 ft. side yard, 5 ft. rear yard, 30 ft. front. The lot is only 26ft; side lot is short 2 ft. on one side, however north side has 8 ft. The land is leased land.

Mrs. Willard Smith sworn in for hearing, stated their family lives in 418 First Ave. They rent the beachfront home out for seasonal use, on same lot; they wish to move the beachfront house to 3rd. Ave. & Salmon St. to be rented there as seasonal dwelling; They wish to build another home, for year round living, extend house to present front porch, enclose porch for laundry room & washroom, will abide by all present side yards. The old house is 65 years old; the new house will be more attractive. Too expensive to remodel & winterize present house.

Atty Keane stated this was not a Board of Adj. case; could be interpreted as valid non-conforming structure; property undersized; asking board to replace the non-conforming structure on non-conforming lot. He suggested, with reference to section B of Zoning Ordinance, that the Board allow for interpretation on non valid conforming use. Interpret ordinance to permit same non-conforming house to be rebuild on same non conforming lot.

Board Atty. Ragan advised the application was listed as a Hardship; the Building Inspector called for a variance; therefore Board must consider the case as Hardship, according to application received.

Mr. King questioned Mrs. Smith re: new location of dwelling. The Smiths have an application pending with Planning Board for subdivision of lot, owned by C. Yard. If approved, and if Bd. of Adj. gives their approval for new dwelling, a house mover has been contacted, Jersey Central for raising wires where required. House will be like a new home on new foundation; up to all building codes.

HEARING WILLARD SMITH - CONT. AUGUST 9, 1978

Witnesses in support of the Smiths were Dr. Thomas L. Fallon and Dr. Farasceno, both neighbors, Mrs. Judy Collier appearing for her 100 year old Grandmother living at 435 Beachfront asked what this proposal would do to property values of other neighbors. Answer from the Board was our obligation is only concerned with use of the property.

Mr. King moved that the Public hearing be ended; Mr. Piotrowski seconded. Discussion then followed with Atty. Ragan advising one of the following considerations: 1. move a resolution; 2. postpone the determination; give thought to any question re: proper interpretation of use of structure.

Chairman Wright said what bothered him was that the zoning code states if a structure is moved from non conforming property, a 2nd. structure cannot be build. (Sect. 101 on page 15)

Atty. Keane advised this is not a non conforming use, but rather non-conforming structure on a non-conforming lot.

Mr. King suggested all board members make site inspection. Atty Ragan advised no opinion be given until further inspection. Mr. King advised matter be held over to next meeting and asked Peter to research the law.

Mr. VanSchoick asked Mr. Smith if there were any critical dead line. Mr. Smith replied "yes". Can't have architect draw plans 'till permission received.

Chairman Wright advised hold up on decision; call Special meeting for Aug. 23rd.

Mrs. Smith stated they would be willing to center house between the 2 adjoining houses.

Mr. King made motion for decision to be postponed; further study to be made. In the interest of time, Mr. King moved that attorney prepare resolution (pro and con); Mr. Vanschoick seconded.

Under new business, acting secy R. Dillon, requested that the Board seek a permanent replacement as secretary from the Boro employees. Great advantage to the secretary to be on the Boro premises during the day to hankle all facets of the Board requirements.

Mr. VanSchoick moved that the sec'y prepare a notice to be put on the bulletin board; Mr. Schneider seconded.

In view of the Smiths, through their attorney having posted their own Public Notice in the Press, the Secretary suggested that this procedure be followed by all applicants, and not the Board. Mr. Schneider moved that the resolution be drawn to amend the By-Laws for this provision; Mr. VanSchoick seconded.

A letter from the Environmental Commission, addressed to the Corps of Army Engineers, copies of which had been sent to Mayor and Council,

(continued)

HEARING: WILLARD SMITH - CON'T. AUGUST 9, 1978

Planning Board and Board of Adjustment, was read to the membership. It concerned a request from Mr. Vanderslice, presently a resident of Florida, for permission to bulkhead lot # 28 & 29 on Brielle Road. This letter was filed for future reference.

Mr. Piotrowski moved to adjourn the meeting; Mr. VanSchoick seconded.

Respectfully submitted,

R. Dillon, Acting Sec'y

SPECIAL MEETING HELD ON AUGUST 23, 1978 TO CONCLUDE WILLARD SMITH HEARING

MEMBERS PRESENT: Messrs. Huebner, King, Piotrowski, Schneider, Wright VanSchoick, Mrs. Dillon and Attorney Ragan.

The meeting was held in the Caucus room due to pressure of other meeting groups. Republican Club was in the Council Room. Tape recorder had been set up in advance in the Council Chamber. Atty. Ragan stated we could do without the recording. The principals, Mr. and Mrs. Willard Smith were invited to join us in the Caucus room. There were no other residents present for this hearing.

The meeting was called to order by Chairman Wright; the flag salute was set aside. Minutes of 8/9/78 meeting could not be approved since these had not been posted for public review in the foyer of the Borough Hall.

Mr. Wright announced this special meeting was for purpose of continuing hearing for Willard Smith re: removal of dwelling presently sited at 419 Beachfront and subsequent replacement of new home on same site. He stated exhibits A2 & A7 had been sent to all board members, and that Atty. Ragan had advised all members to observe premises in question.

Atty. Ragan stated he had researched the law with regard to the variance. It is his opinion that non-conforming use is correct; however, this is a non-conforming structure. Removal of a non-conforming structure is not permitted by Ordinance and a variance application is required. This is a permitted use, 2 single family dwellings on same property; structural alteration of non-conforming structure requires variance to be submitted to alter building. He further stated the public hearing was over, no further need to question the Smiths or their atty.

Mr. King suggested open discussion. It was his opinion that a favorable resolution be approved; non-conforming structure previously violated the law but considered lawful; the existing structure is not suitable for the applicants needs. They ask to remove that structure to allow new bldg. be placed on same site and same use; will conform to all codes; fire protection will be improved. He continued to say that Carl Yard would not permit vacant land to exist, no income for him! New bldg. will improve neighborhood, not detrimental to code, sets example for surrounding neighbors to improve their property.

(continued)

SPECIAL MEETING: WILLARD SMITH CON'T AUGUST 23, 1978

Mr. Wright stated a notice had been placed on bulletin board for permanent Board Secretary. He said he had spoken to Jo-Ellen Brown, Code and Zoning Office and she was willing to try it. The membership was pleased with this information. Atty. Ragan will draw up resolution to appoint Jo-Ellen Brown; notice of decision to be placed in the Coast Star, when resolution is presented to Board members.

Peter gave copy of Resolution 15-78 to secretary to be mailed to Stephen Keane, attorney for the Smiths.

Respectfully submitted,

Ruth Dillon, acting sec'y

REGULAR MEETING OF THE BOARD OF ADJUSTMENT, BOROUGH OF MANASQUAN

SEPTEMBER 13, 1978

MEMBERS PRESENT: Messrs. Huebner, King, Piotrowski, VanSchoick, Schneider, Wright and Mrs. Dillon; also Attorney for the Board Peter Ragan.

The meeting was called to order with the salute to the flag. Mr. Wright, chairman of the board, announced this as an open public meeting held in accordance with the Open Public Meetings Act of 1975, with adequate notice having been given to the Coast Star.

First case to be heard was that of Gary Walsh, represented by atty. Micheal Landis concerning property on 3rd. Ave., Lot 13, Blk 76 with 27' front and length of 100 feet. It was entered as a Hardship application, other homes in the area having only 27' frontage. Atty. Landis stated no detriment to the public good or to the zoning Ordinance.

Entered as evidence were the denial form # 1, the application form #2, Certified mailing list of property owners, A-3, Affidavit of Proff of service A4, Plot Plan A5 and sketch of structure as A6.

Applicant will build a one family year round home, one story, 3 bedroom house on 20x50; will be 30ft. back from the road, 20 ft. to end of property with side measurements of 3'5" on both sides.

There was discussion over the applicant wishing to park cars in the front yard; this restriction will be included in granting the variance to the applicant. Variance was granted with applicant aware of this condition.

Mr. Raymond King moved that a favorable resolution be drawn, seconded by Jim VanSchoick, Atty. Ragan will prepare resolution and will be acted on at next meeting. (Oct. 11)

2nd. case to be heard was that of Dr.Chas. Tassini. No atty was present. he requested a variance to move his present dental office from Main St. to Broad St. The denial form was entered for evidence as A-1; appl. A-2; list of property owners as A-3; notice of hearing as A-4; Affidavit of Service A-5 and survey of property as A-6.

The house on corner of Atlantic and Broad encroaches on Dr. Tassini's property but he is allowing it to remain as is. His property is in industrial zone, has property 143'x115'; ample room for parking in rear.

2 members of the Board of Educ. Kathy Essner and Jan Archibald, were present to contest possible parking in places other than the Tassini property. Upon hearing of Dr's parking plans on his own property, there was no further objection.

With the condition of no parking on the street, it was moved by K. Schneider and seconded by J.VanSchoick that a favorable resolution be drawn and acted on next meeting of Oct. 11th.

continued

REGULAR MEETING CON'T SEPTEMBER 13, 1978

3rd. case to be heard was that of John Shibles re: Curtis Ave. condominiums which had an original resolution prepared favorable in May 1974. Mr. Shibles has a contract of purchase. Mr. Fred Figarato, general building contractor was presented to assist with testimony.

Entered into evidence was the denial form A-1; application A-2; property list A-3; Affidavit of proof of service A-5; Notice of hearing A-4; Plot Plan A-6 and Applicants folder of additional information presented to the board that evening, A-7.

Mr. Shibles' plan is to complete existing building; building vacant 3 years; he wishes to make it an asset to the community; shall be handled as rental units.

Portion of the land on Virginia Ave. & Mount Lane, 255' by 200', now vacant land if sub-division approved, he shall sell. Has 2 possibilities, M^{rs}. O'Connor of St. Denis and another party interested in putting up one family dwellings. Nothing is positive on this.

Rental of these luxury apartments will be \$325 for one bedroom unit; \$425 for 2 bedroom units and \$475 for the 2 townhouses.

The building is thoroughly insulated; fire walls between every 4 units; smoke detectors already installed; there is more landscaping to be done. There are 3 parking pads in front of each bldg; more parking places will be on east end of property where there is a foundation to be completed with another unit of 1 bedroom apts.

This is a use variance, changing the building, the sub-division is secondary to the application.

There were many questions which the Board members had in thought; since the members had received the copies of the 1st. resolution just that evening, and felt there was much information for them to read, it was suggested by R. King that we have a site inspection on Saturday morning at 9 pm. J. VanSchoick seconded this after R. King make it a motion.

It was agreed that the public hearing would be continued on Wed. Eve. 9/20th.

Hearing was then closed and the board moved to old business; E. Piotrowski moved to approve the Aug. 9th meeting's minutes approved as posted; seconded by H. Huebner, Aug. 23rd. minutes were approved by H. Huebner and seconded by R. King.

Resolution 16-78 appointing Jo-Ellen Brown as permanent secretary was moved for adoption by E. Piotrowski and seconded by K. Schneider.

Upon motion to adjourn made by J. VanSchoick and seconded by R. King, it was agreed to be present on Saturday morning for on site inspection and to meet again on Wednesday evening Sept. 20th.

R. Dillon, Acting Secretary

Members present: Messrs. Huebner, King, Piotrowski, Schneider, VanSchoick, Wright, Mrs. Dillon and Mr. Ragan, Board Attorney

Meeting was called to order with salute to the flag. Mr. Wright, Chairman, announced this as an open public meeting held according to the Open Public Meetings Act of 1975. Official newspaper, Coast Star, had been notified.

This hearing was for the continuation of application by John P. Shibles; on-site inspection was made of the property in quwstion on Saturday morning, Sept. 16th; members of the Board were able to have many questions answered for them. Mr. Shibles & Mr. Fred Figarato, gen'l contractor, were present.

Mr. Shibles, still under oath, read his letter to the Enviornmental Protection Agency and their prompt replay to him wherein they stated no further permits were necessary.

Marked into evidence were: A-8, Mr. Shibles letter to Dept. Envir. Commission
A-9, Letter of reply from the Dept. Envir. Commis.
A-10, New plot plan from applicant.

Applicant stated he had visited 19 Garden Complexes to ascertain where others placed their garbage disposal; "No one hides the garbage"; Mr. Shibles plans to have 1½ to 2 mini dumpsters with a general pick up 3 times a week.

Question was raised as to how the applicant planned to sell the lots which were being subdivided from the property. Mr. Shibles stated the lots would be sold to one entity.

In answer to Mr. Kings' Question re: sidewalk and curbing, Mr. Shibles said he would continue east of the last townhouse around Mr. Lane; planting and landscaping in front; (no curvs on Va.; curbs ½ way down Mr. Lane)

Mr. Shibles stated he has sufficient capital without the sale of the lots to complete the building and the site planning. The property will be under the maintenance of the Shibles, Mr. and Mrs.

Mr. Schneider moved that we grant use variance of the present structure for buildings to be used as apartments in lieu of condominiums; sub division as presented also to be granted. Atty. Ragan said he would include in resolution the following; further subdivision of land to be subject to apporval of Planning Board; various conditions of prior resolution of Bd. of Adj. dated 5/74 and resolution of council dated 5/15/74; new deed to be issued to J.P. Shibles to also include occupancy under phase a: West end, 5 apts. by 12/1/78; phase b: east end, 5 apts. by 2/1/79 and phase c: final east end (5 apts by 6/1/79).

Mr. King suggested during phase construction period, that barriers be placed to keep other tenants away.

Mr. VanSchoick seconded a moving of the resolution to be drawn by att'y. All members in agreement, as recorded by roll call.

Meeting adjourned. Mr. Kenneth Schneider reminded the Board that he would not be present for the meeting of Oct. 11th.

R. Dillon, Acting Sec'y

Members present: Messrs. King, Piotrowski, VanSchoick, Wright, and Mrs. Dillon also Mr. Ragan, Board Attorney

Members absent: Mr. Huebner, who was ill and Mr. Schneider who was out of town.

tape started at 000

Mr. Wright noted that there was still a quorum of 5 members.

Meeting was called to order with Salute to the Flag, Mr. Wright, Chairman announced that this was an Open Public Meeting held according to the Open Public Meetings Act of 1975. Official newspaper the Coast Star had been notified.

Minutes were read from the September 13 and 20th meetings. There was a correction in the Sept. 20th minutes, second to last paragraph to read: Mr. VanSchoick seconded a moving of the resolution. With correction Mr. VanSchoick seconded the minutes. All members voting yes.

Mr. Wright read Resolution 18-78 (Tassini) The resolution was moved and passed. All members voting yes.

Mr. Ragan read resolution 19-78 (Walsh Holding Co.) resolution was moved and passed. All members voting yes.

The next order of business was variance application of Martin Keefe, 183 Beachfront. Mr. Keefe was sworn in by attorney Ragan.

Mr. Wright noted that according to plot plan the side yards were 3' feet 14 inches from sideline and in an R-4 Zone only 3 ft. is required. Mr. Keefe stated that the planned house would conform in all respects with the building code. That the reason for the variance was the inaccuracy of pile driving and the possibility that the piles could shift 6 inches more or less. Mr. Ragan told Mr. Keefe that the Board could not grant an open end variance. Mr. Keefe asked if he could have a variance of one foot either way. The exhibits were marked as they appear in records.

- A-1 Letter of denial from Construction Official
- A-2 Application for variance
- A-3 List of property owners
- A-4 Affidavit of Service
- A-5 Plot plan

A motion was made and seconded to continue hearing until next month.

Mr. King make the suggestion that the Building Inspector, Code Enforcement Officer etc. be made aware of the decisions of the Board. Mr. Ragan suggested that as a last paragraph in a resolution we would authorize certifies copies of the resolution to selected individuals which will include the Building Inspector, Code Enforcement Officer, Mayor and others to be determined upon drafting of resolution such as police chief, fire chief etc.

Mr. Wright also suggested that some resolutions have a time limit.

BOARD OF ADJUSTMENT - REGULAR MEETING NOVEMBER 8, 1978

NO APPLICATIONS - NO MEETING

BOARD OF ADJUSTMENT - REGULAR MEETING DECEMBER 13, 1978

tape 001

MEMBERS PRESENT: Messrs. Huebner, King, Piotrowski, Schneider, Wright, Van Schoick and Attorney Ragan.

ABSENT: Mrs. Ruth Dillon

Meeting was called to order at 8:05 pm by Chairman Wright with the Salute to the Flag; announced it was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the newspapers.

Minutes of previous meeting were read by Mr. Wright. The minutes were moved and passed.

"yes" vote: Huebner, King, Piotrowski, VanSchoick, Wright
"abstained " Schneider

Motion was moved by Mr. VanSchoick to continue variance application of Martin Keefe until next meeting in January. All members voting yes.

HEARING: WILLIAM BRESNAHAN - 178 FIRST AVENUE - HEAT AND INSULATION

Mr. Bresnahan was sworn in by attorney Ragan and the following exhibits were marked into evidence.

- A-1 Deniel from Building Inspector
- A-2 Notice of appeal
- A-3 List of property owners and orginal of receipts of certified mail.
- A-4 Notice of hearing
- A-5 Proff of service
- A-6 Location plan
- A-7 Hand drawn duplicate of location plan

Attorney Ragan gave explanation of why Mr. Bresnahan was going before Board. It was the Construction Officials opinion, from advice that he had obtained, that to allow a winterazation of a building that is non-conforming is an expansion of that non-conforming use. That is, from a summer use to a use that would allow occupation of the building on a year round basis. Attorney Ragan stated that the interpation is a legal one and that is why Mr. Bresnahan is before the Board.

Mr. Bresnahan stated that the house had three apartments in the building and that there would be no structural changes.

Mrs. Satokas 166 2nd. Ave., spoke for Mr. Bresnahan. She stated that she didn't see why he had to come to the Board.

Ray Carpenter - 171 First Avenue spoke about his problems paying water and sewer and only using house 3 months a year. Mr. King said that Mr. Carpenters problem had nothing to do with Board of Adjustment and that he should go to the local assessor or to Monmouth County.

(continued)

HEARING: WILLIAM BRESNAHAN 178 FIRST AVENUE CON'T

Mr. Wright suggested that he should go to the Building Inspector for a denial and then appear before the Board.

Mr VanSchoick move a resolution, seconded by Mr. Schneider, that Mr. Bresnahans application be approved allowing him to winterize and change from a summer use to all year round. Mr. Ragan to draw resolution. All members voting yes. It was also noted that the application could be legally protested up to 45 days.

Report of a copy of letter sent to Mayor and Council about J.C. Williams billboard sign.

NEW BUSINESS: Proposed budget was submitted by Chairman Wright. Mr. VanSchoick moved a motion seconded by Mr. Schneider, to submit the proposed budget to Mayor and Council. All members voting yes.

Meeting adjourned at 8:45

tape at 538

Respectfully submitted,

Jo Ellen Brown
Jo Ellen Brown, Sec'y

BOARD OF ADJUSTMENT - REGULAR MEETING JANUARY 17, 1979

MEMBERS PRESENT: Messrs. Huebner, Piortowski, Schneider, VanSchoick, Wright, Mrs Dillon and Attorney Ragan.

ABSENT: Mr. King

Meeting was called to order by Chairman Wright with the salute to the flag. Minutes were read by the Secretary, moved and passed. All members voting yes.

Chairman Wright announced that this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the newspapers.

ORGANIZATION OF THE MANASQUAN BOARD OF ADJUSTMENT

First order of business was the selection of the Chairman for the Board. Motion was made and seconded to elect Howard Wright Chairman of the Board. Ruth Dillon read resolution 1-79. Yes vote: Huebner, Piortowski, Schneider VanSchoick, Mrs. Killon. Abstained: Wright.

Next was the selection of Vice Chairman for the Board. Motion was made and seconded that Harry Huebner be elected Vice Chairman to the Board. Resolution 2-79 was read by Ed Piotrowski. Yes vote: Dillon, Piotrowski, Schneider, VanSchoick, Wright. Abstained: Huebner.

Next chairman Wright read resolution 3-79 designating the 2nd. Wednesday of each month for the regular monthly meeting of the Zoning Board of Adjustment. Resolution to be published in paper. All members voting yes.

Resolution 4-79 regarding the Official newspaper, was read by Mr. VanSchoick designating the Coast Star as the official newspaper of the Board of Adjustment with the Asbury Park Press as secondary paper. All members voting yes.

Resolution 5-79 regarding the appointment of Jo-Ellen Brown as secretary of the Board of Adjustment, was read by Mr. Schneider, seconded by Mr. VanSchoick. All members voting yes.

Resolution 6-79 regarding the attorney to the Board of Adjustment. Harry Huebner offered the resolution, naming Peter Ragan, Esq. as attorney to the Board. Ruth Dillon seconded. All members voting yes.

Motion was made and seconded that the preceding six resolutions be sent to the Mayor and Council. All members voting yes.

Mr. VanSchoick moved a motion, seconded by Mrs. Dillon that Mr. Keefes' application, concerning 183 Beachfront be carried over to the next meeting without any penalty to Mr. Keefe. All members voting yes.

Mr. Wright noted that we had received a letter from Mr. Walsh, saying that he could not obtain mortgage money at that time. Attorney Ragan to look into dates when he received his variance.

BOARD OF ADJUSTMENT - REGULAR MEETING CON'THEARING: COL. FIRST NATIONAL BANK: 240 PARKER AVE. FREE STANDING SIGN

Tom Brennan, Attorney for Col. First National Bank, was sworn in by Attorney Ragan and the following exhibits were marked into evidence.

- A-1 Deniel from the Construction Official
- A-2 Notice of appeal and variance application
- A-3 Notice of applicant of hearing
- A-4 Change of hearing date
- A-5 List of property owners
- A-6 Notice of hearing to property owners
- A-7 Proff of service, with receipts
- A-8 Site plan
- B-1 Letter from Dept. of Transportation (D.O.T.)

Attorney Brennan introduced Ron Sebring as his only witness. Mr. Sebring was sworn in by attorney Ragan and stated his name as Ronald A. Sebring; who is a registered Architect and Professional Planner with offices at 200 Atlantic Avenue. He further stated that the plans for the free standing sign were drawn under his supervision; that the location of the sign was midway across front of property, between property line and end of the westerly side of parking; that the sign would be approxametly 9½ feet off sidewalk; 21 feet high and 9 feet wide. The sign would have a clock at the top and a back lip double faced plastic sign delineating the name and logo of the bank. The sign would be made of white plexiglass, 1½ ft. thick, with dark blue letters. Mr. Sebring further stated that he felt that the sign was necessary to identify the funtion of the building and to advertise the services that the building was to provide. It was also that most of the businesses in the area of the bank, had free standing signs, some larger than the one before the Board. The Board was also informed that there would be no blockage of view for traffic. It was further noted that there would be an addition to the sign. The bank would like to add a box under the sign that was not shown on rendering, to advertise civic events. The box would be approximetly 6 feet wide and 2 feet high. The addition would be double face and it would extend 1 foot on either side of pole.

Attorney Ragan informed Attorney Brennan, of letter and applications received from the Dept. of Transportation (D.O.T.) for an on premise sign. The letter was marked as exhibit B-1, Mr. Sebring stated that he had submitted the site plan to the state and that they had been granted an access permit. That if it was necessary he would apply for any additional permits.

Ruth Dillon made a motion for the attorney to draw up all necessary papers for the free standing sign, including the addition of the 6' by 2' community advertising sign, subject to the approval of the on premise permit from D.O.T. Mr. VanSchoick seconded the motion after Mr. Sebring drew a rendering of the sign addition on exhibit A-8. All members voting yes.

Mr. Wright also noted that after the resolution was read and approved it could be protested for up to 45 days and that there were no objectors presant at the meeting.

Motion was made and seconded that the meeting be adjourned, All members voting yes.

tape
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Meeting adjourned at 9:15 pm.

Respectfully submitted,

Jo-Ellen Brown, Sec'y

BOARD OF ADJUSTMENT-REGULAR MEETING FEBRUARY 14, 1979

Members present: Messrs. Piotrowski, Schneider, VanSchoick, Wright
Mrs. Dillon and Attorney Ragan

Absent: Mr. Harry Huebner - on vacation

Meeting was called to order at 8 PM with the Salute to the Flag by Chairman Wright; announced it was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the newspapers.

Minutes were moved and passed by the following vote: Yes: Mrs. Ruth Dillon, Messrs. Piotrowski, Schneider, VanSchoick, and Wright. Abstained: Mr. King.

RESOLUTION 7-79 pertaining to First Col. National Bank, was moved by Ed Piotrowski, seconded by Kenneth Schneider, read by Peter Ragan and carried by the following vote; Yes: Mrs. Ruth Dillon, Messrs. Ed Piotrowski, Kenny Schneider, James VanSchoick, Howard Wright. Abstained: Mr. Raymond King. Copies to be given to Mayor and Council.

There was a discussion pertaining to Variance of Gary Walsh.

Raymonk King moved a resolution to grant a continuance of the application of Martin Keefe seconded by James VanSchoick.

HEARING: ROBERT FICK 36 OCEAN AVENUE

Attorney Ragan swore in Robert Fick; he stated his name as Robert Fick of 36 Ocean Avenue. The following exhibits were marked into evidence:

- A-1 Deniel from Construction Official
- A-2 Notice of appeal
- A-3 Notice of Public Hearing
- A-4 List of property owners
- A-5 Affidavit of Proff of Service
- A-6 Notice of Hearing to Property owners
- A-7a Plot Plan
- A-7b Survey of Property

Mr. Fick stated that the house was very narrow; that he was after every foot of space that he could get, that he would like two parallel bedrooms in rear of house, each about 8'6" wide; that the small portion that he needed in the was critical to his needs. At the present time there were 3 small bedrooms, no ceilings just partietions; that the existing line of the house will be followed to square the house off. That he intends to live in the house all year because he works in Bricktown; that he votes in Manasquan; that 36' Ocean Ave. is his legal address. Mr. Fock further stated that his neighbors have no objections. On left side a family named Daniels from Cranford live with their Mother and Father. That the Mother and Father stay there all the time. They live without a car, walk to Acme and call a taxi to take them home. On right side lives the Cocce Family from 37 Washington Square, N.J. City. Mr. Piotrowski asked if Mr. Fick had intentions of renting. Mr. Fick said that the house had not been rented since 1950; that he had no interest in renting. We want to have an all year round residence in Manasquan, I work in Bricktown. Mr. King: how close is the neighbor on the left side? Mr. Fick told him about the width of one driveway. On east side of Ficks property the Daniels driveway overlaps on Ficks property. Mr. King, are there any other lots the same size on your street? Mr. Fick Yes, Cocce is 44 feet and Daniels is 30 feet.

ROBERT FICK 36 OCEAN AVENUE CONTINUED

Mr. Fick said the neighborhood was kept very well and that Cocce Family will probably be all year round residents in a few years.

Mr. King: Did you draw the plot plan yourself? Mr. Fick, yes. There is 390 feet to rear of yard. Stake is on high ground.

Mr. VanSchoick moved a resolution of the Manasquan Board of Adjustment granting the application as presented and to adopt as fact testimony presented by applicant. Seconded by Mr. Schneider and passed by the following vote:
Yes: Mrs. Dillon, Messrs. King, Piotrowski, Schneider, VanSchoick, Wright.
NO: None

Jo-Ellen Brown, Sec'y

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - MARCH 14, 1979

MEMBERS PRESENT: Messrs. King, Piotrowski, Schneider, VanSchoick, Wright and Attorney Ragan

ABSENT: Mrs. Dillon and Mr. Huebner

Chairman Wright called for an informal meeting being there weren't any applications before the Board, Announced it was an open public meeting held in accordance with the Sunshine Law.

Mr. Keefes application was discussed. Sec'y said that Mr. Keefe had called and cancelled again for the evening. Mr. Ragan said that the application had not been completed and he would get a letter out and determine what to do before the next meeting.

Chairman Wright introduced Mr. Joseph Matera who was invited to speak to the Board informally about the South Shore Haven Rest Home at 66 N. Main Street.

Mr. Matera stated that he would like to upgrade the rest home; that he was not looking for extra beds; that he had things leaking and there was only one bathroom on the first floor to take care of 18 woman and the staff. That the rest home was in compliance with the State laws but not in compliance with Federal laws; that the bathrooms were very long and they would like to break through the outside wall. The home would like to enlarge dining area and put in a sprinkler system. On the outside of structure they were planning to take off the old asphalt shingles and convert to natural wood shingles. To make the extra money to pay for all these things they would only need 12 extra beds, five on each floor, 3 rooms with double beds. Mr. Matera stated that they would try to keep the addition within the L shape of the existing building. They have had the home for 7½ years; that they would like to do over the other rooms with matching furniture to make it more pleasant for the people in the home. They would keep the addition small and compact; that the square footage was mandated by the State; that the improvements would qualify them for federal improvement.

Mr. Matera stated that the home had gone before the board for a 48 bed addition some years before and that Ron Sebring had represented the home and the application was turned down. Mr. Matera asked if the Board would be inclined to grant a variance. Mr. Ragan told Mr. Matera that the Board could not make a commitment.

Mr. King asked about parking problems, water and sewer ect. and suggested that Mr. Matera take an opinion pole from the neighbors.

Minutes were adopted unanimously.

Meeting adjourned.

Jo-Ellen Brown, Sec'y

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT
APRIL 11, 1980

MEMBERS PRESENT: Mrs. Dillon, Messrs. King, Huebner, Piortowski, Schneider VanSchoick and Attorney Ragan

ABSENT: Mr. Wright because of illness

Meeting was called to order by Vice Chairman Huebner at 8:10 p.m., announced that it was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975, then Pledged Allegiance to the Flag.

Minutes were moved and seconded as written. All members voting, yes.

Vice Chairman announced that the meeting would have to be adjourned because the Mayor and Council had adopted a new Zoning Ordinance effective January 29, 1979, of which the Board of Adjustment had not been advised until recently and that the Ordinance had not been reviewed by the panel. The Board would hold a meeting on Wednesday April 18, 1980 after they had a chance to look over the new Zoning Ordinance.

Jim Carton, lawyer representing Mr. Incolla's application for a simple rear yard but was told by Vice Chairman that it was the decision of the Board not to hear any applications until the Board had a chance to read the new Zoning Ordinance so that there would not be any problems in the future.

Mr. Ragan told the applicants that the applications that were pending for the evening, because the adjournment was announced at this public meeting it would be unnecessary for them to re-notice all the individuals whom they were required to notice and we could designate next Wednesday or a different Public Meeting now, that Mr. Carton would be able to attend and he would not have to re-notice. Mr. Incolla's application is adjourned until May 9th. meeting.

Mr. VanSchoick moved a motion that the applications of Pinehurst Development and Raymond Corcoran be held off until next Wednesday April 18, at which time the Board will be able to intelligently hear the applications and the Dominic Incolla application be held off until May 9, 1979. Seconded by Raymond King. All members voting yes.

Unanimous vote to recess for 5 minutes.

Resumed - Roll Call - all members present.

Old Business - Martin Keefe's application concerning 183 Beachfront. Resolution 9-79 was read by Mr. Ragan moved by James VanSchoick seconded by Ruth Dillon. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT APRIL 11, 1980 REGULAR MEETING CONTINUED

Motion was made by Mr. King seconded by Mr. VanSchoick to have Mr. Ragan research what legal avenues the Board had concerning J.C. Williams, Bill-board and Mr. Kirsch's water slide.

Mr. King moved a motion seconded by Mr. Schneider that a letter be sent to Mayor and Council informing them that the Board could not hold their regular meeting because of absence of copies of the new Zoning Ordinance. Also as a matter of record that the Board was never requested to review the new Zoning Ordinance, before adoption. All members voting yes.

Public meeting adjourned. All members voting yes. Tape at 401

Ruth Dillon announced that she would not be at the next meeting because of a prior commitment.'

Respectfully submitted,

Jo-Ellen Brown, Sec'y

SPECIAL MEETING APRIL 18, 1980
MANASQUAN BOARD OF ADJUSTMENT

MEMBERS PRESENT: MESSRS. HUEBNER KING, PIOTROWSKI, SCHNEIDER, VANSCHOICK,
 AND ATTORNEY RAGAN.

MEMBERS ABSENT: MR. HOWARD WRIGHT AND MRS. RUTH DILLON

Meeting was called to order by Vice Chairman Huebner at 8:15 P.M. Announced that it was an Open Public Meeting held in accordance with the Sunshine Law of New Jersey, then had the salute to the Flag.

Robert Conforti, Attorney for Mr. Corcoran, requested a postponement until the next regular meeting on May 9, so that all members might be present. Mr. Corcoran waived the 120 day waiting period.

Motion made by Kenny Schneider to adjourn the Corcoran application until the next regular meeting of the Board, seconded by Ed Piotrowski, All members voting yes.

When asked by someone in the crowd, Mr. Hæbner explained that because there were only 5 members present on the Board Mr. Corcorans Attorney had asked for a postment until there might be more members present. Assuming that he would have a better chance with more members prese

Next application was Tobin Frymire for Pinhurst Development. Thomas Brennan attorney for applicant introduced himself and Mr. Frymire then Mr. Ragan swore in Mr. Frymire; he said that his name was Toby Frymire and that he resided at 7 James Place.

Marked into evidence were the folllowing exhibits:

- A-1 picture exhibit
- A-2 Construction officials letter of deniel
- A-3 Notice of appeal and variance application
- A-4 Notice of Public hearing
- A-5 List of property owners
- A-6 Notice of hearing to property owners and picture of sign
- A-7 Site plan

Mr. Frymire stated that the sign will be 15ft. high, 24 sq. ft. with lights inside. Mr. Brennan stated that A-6 is a scaled drawing of sign. Mr. Frymire is the pricipal stockholder and President of Pinhurst Development, and owner of property and has liven in Manasquan for 6 years. The building is presently under construction, that its a two story building, 1300 sq. ft. downstairs, 1200 sq. ft. apartment upstairs. 80 to 85% of the 1st. Floor will be occupied by century 21 and the rest by Frymire and Scott, of which Mr. Frymire is a principal stockholder. Scale of Exhibit A-1 is accurate as deminsions on exhibit A-6. Cross arm is 9'. Sign will be 15 ft. high, 24 sq. ft. on each side with light inside face of sign. Not sure of materials has only seen sign at a convention.

Mr. Frymire futher stated that the sign is important to his business and he brought along the other workers to show that they all dress alike to associate the logo. Post is 20 ft. back from curb, sign is elevated not to obstruct view. (8' from ground)

SPECIAL MEETING APRIL 18, 1980 CONTINUED

TOBY FRYMIRE-PINEHURST DEVELOPMENT CON'T

Mr. Frymire feels that a sign on Cape House would detract from structure. That there will be no other signs on the route 71 side. Mr. Frymire said that he had done a study and there are 83 free standing signs in Manasquan; that there is not one real estate broker who does not have a free standing sign; that the sign will be in good taste. Century 21 is independently owned and operated. Real estate brokers were regulated by N.J. Real Estate Board.

Mr. Hunchek from audience asked if there had been any traffic studys done or any official tests.

Mr. Frymire said that he was willing to heve the sign subject to the building inspector Re: the safety and stability of sign. Base is bolted with 4 or 5 concrete bolts then set in concrete.

Mr. Huebner asked if the specifications were available and Mr. Frymire said that he didn't have them but will get them by May 9 , Mr. Frymire also waived the time for decision. Mr. Ragan told him that there was no need for public notice,

Mr. King asked if it would be possible to put a stake in ground so the the members of the Board could check out the visability. Mr. Frymire willing to put up a tempory sign for review by Board. Will leave up tempory sign for 1 week.

Motion was made to adjourn Mr. Frymires application until next meeting, May 9th, 1979. All members voting yes.

No additional business the meeting was adjourned to a private meeting. All members voting yes.

Private meeting was adjourned to public meeting. All members voting yes.

Public meeting was adjourned with motion. All members voting Yes.

Jo-Ellen Brown, Sec'y

SPECIAL MEETING - MANASQUAN BOARD OF ADJUSTMENT- APRIL 25, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Harry Huebner, Raymond King, Ed Piotrowski, Kenneth Schneider, James VanSchoick

MEMBERS ABSENT: Mr. Howard Wright - because of illness

Vice Chairman Huebner opened meeting with announcement of Open Public Meetings act of 1975 then pledged alliance to the Flag.

Resolution 10-79 was read by Attorney Ragan offered by James VanSchoick seconded by Ed Piotrowski. All members voting yes.

After Resolution was adopted the Board held a private meeting.

After private meeting was concluded a motion was entertained and seconded to adjourn the meeting. All members voting yes.

Meeting adjourned at 9:45 Tape at 60.

Jo-Ellen Brown, Sec'y

REGULAR MEETING - MANASQUAN BOARD OF ADJUSTMENT - MAY 9, 1979

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, Ed Piotrowski, Kenneth Schneider, James P. VanSchoick and Attorney Ragan

MEMBERS ABSENT: Messrs. Harry Huebner and Howard Wright

tape at 75

Meeting was called to order by Mr. VanSchoick announced that the Board had a quorum, had the Salute to the Flag; announced that the meeting was held in accordance with the Open Public Meetings Act of 1975, adequate notice had been given to the Coast Star and the Asbury Park Press in January.

No minutes.

90 Motion was made by Mr. King, seconded by Mrs. Dillon to appoint Mr. VanSchoick Chairman, for the meeting. All members voting yes.

106 First application - PINEHURST DEVELOPMENT, regarding free standing sign, was continued from April 18th. meeting.

120 Mr. Brennan called Mr. Horowitz and he was sworn in by Attorney Ragan, stated his name as Gilbert Horowitz, his address as 15 Barnabus Way, Marlboro, N.J. He said his occupation was the manufacture and installation of signs. Mr. Brennan noted that Mr. Horowitz had not heard previous testimony, and that a picture of Century 21 sign was marked into evidence, that the feeling of the Board was to know basically what the specifications would be and the materials that would be used to construct the sign. Mr. Brennan showed the witness exhibit A-1, in evidence, which is a Century 21 sign, asked if it was basically the sign Mr. Frymire asked to have constructed. Mr. Horowitz answered yes and then gave the specifications of sign. Baked T aluminum, color brown with a painted slexiglass face, 12 inches thick, 6 ft. by 4 feet, built to withstand wind factors. He said that the construction of the sign was basically the reason the sign would blow out, he said that his company had installed approximately 300 signs in the New Jersey area and they had not lost on face due to a blow out. His company guarantees that the sign will not blow out. On the swing bar they use chain for a double safety factor; there was app. 10 ft. clearance to bottom so there would be no obstruction of traffic visibility. He then stated that the proven area of wind velocity is usually about 250 miles an hour. He said that the conduit would be inside the tube with a timer in the office.

270 Mr. King made a motion to close the public hearing, seconded by K. Schneider. All members voting yes.

Mr. Ragan then explained that the application before the Board was for a Deviance. At our last meeting Mrs. Dillon was not present, a D variance requires at least 5 affirmative votes. Therefore there were only 4 members present at both hearings, who could vote and there would not be enough votes to pass the application. Continue the application until Mrs. Dillon could hear the tape from previous meeting or that Mr. Huebner has an opportunity to hear the tape of tonight's meeting and we have 5 members who have heard all the testimony so that at the next meeting we would be able to have a vote.

MAY 9, 1979 MEETING CONTINUED

DOMINIC INCOLLA - APPLCIATION 4-79

310 Jim Carton representing Mr. Incolla. Mr. Incolla was sworn in by Attorney Ragan and stated his name as Doninic Incolla, 548 Magnolia Ave., Brielle, N.J. and the following exhibits were marked into evidance:

- A-1 Consent to apply for a variance by the owner.
- A-2 Letter from Construction Official, March 27,1979
- A-3 Drawing
- A-4 Photos (2)
- A-5 Photos (1)
- A-6 Photos (2)
- A-7 Photos (2)
- A-8 Photos (1)
- A-9 Prior Zoning Ordinance
- A-10 Deniel from Construction Official
- A-11 Notice of Appeal and Variance Application (2) pages
- A-12 List of property woners (2) pages
- A-13 Notice of hearing to property owners & affidavit of proff of service
- A-14 Plot plan
- A-15 Exhibit letter from Margaret and Edward Morris
- A-16 Survey affidavit

Roger McLaughlin introduced himself as attorney for objectors.

Mr. Incolla stated that he lived in Brielle with his wife and children, ages 13 & 9. He said that he was the contract purchaser of property in question, lot 29 Block 15, from Sam Mahavich and hopes to build a residence. He had contacted a builder Joe Honauer who was to be the builder of his house. He said that his wife did not have a drivers licence; that because his wife doesn't drive she would be able to walk to and from the shopping center and that it was desirable by reason of its location to Saint Denis School system. Mr. Carton noted that with regard to the plot plan the building that was proposed to construct is 15' 8" off property line at rear on one end and garage is 13 and 3/4 feet off rear at other end. Front set back would be 25'.

Mr. King asked if Mr. Incolla owned his present home in Brielle. Mr. Incolla said that he did; Mr. King noted that there was no hardship in his present residence with his wife not driving; that his children get to school alright, where they are at the present time. Mr. Carton stated that the variance was needed for the rear yard. Mr. Ragan asked Mr. Incolla where he worked and he said that he owned a resaurant in Bricktown; that he was gone during the day and sometimes at night until 1 o'clock. That the house would be a two story house; that the house would meet the 700 sq. footage on first floor.

Tape second side 017

Roger McLaughlin, attorney for objectors asked Mr. Incolla how large his present house was and he stated that it was 36x40. Mr. McLaughlin stated again that Mr. Inclooa stated that there was no diffulty in reaching schools for your children that he lived less than a mile away that there was no problem to get to shopping centers,

Mr. McLaughlin stated his firm as Mangini, Gilroy and Cramer, 2517 Hwy 35, Manasquan, N.J.

REGULAR MEETING MAY 9, 1979 CONTINUEDDOMINIC INCOLLA CONTINUEDTAPE 28 Side 2

Lynn Miller -36 Clark St., Manasquan: Mr. Incolla will be building in her back rear noted that the house will be sticking out in yard beyond other houses.

Mr. Sam Mahavich was sworn in by Attorney Ragan, stated his name as Sam Mahavich, 40 Clark St., Manasquan, N.J., he said that he was the owner of property and had contracted to sell it to the Incolla's. Mr. Mahavich presently lives next to subject property and requests that the variance be granted. Using plot plan Mr. Mahavich said his property faced on Clark St.; that the original property was 180.53; that the property was sub-divided when he bought property after World War II. Property has for many years been identified as a separate lot and block on tax map. That house sits about 17 feet from Gertrude Place. Marked into evidence was a survey affidavit as A-16.

- 199 Roger McLaughlin representing 14 owners of properties in area of the applicants property and gave a list of property owners for record. He stated that this was an application for a hardship variance and he submitted that the criteria for a hardship variance was not shown tonight by applicant. That to deny a variance to Mr. Incolla would not prohibit him from making a reasonable use of his property.

Mr. Carton noted that for the last 30 years the lot could be built upon without any problem and had the building permit been applied for a month earlier a house could be built without coming before Board. Mr. Carton also noted that if any of the people had been represented by council that it would be a duplication.

- 540 James V. Smith, appeared on list presented by attorney. In response to Mr. Carton's statement that this would not have been required before, that he serves the community as a special adviser to the Planning Board and the Planning Board when making the 20 foot setback was trying to eliminate any types of problems in town where the communities were getting too close together.

It was noted by Chairman VanSchoick that the property owners were represented by council and that they could only make comments and could not testify. Mr. Ragan noted that the Board would hear comments but would not take any additional testimony.

- 415 Richard Miller - 36 Clark Street, asked about several properties that had been referred to by Mr. Carton.

- 462 Marion Thomas - 19 Irroquios Rd., made a comment about putting garage on her property but was told that it had nothing to do with case.

Mrs. Franklin-32 Gertrude Place. Lot abutting property. made comments about hardship.

Motion was made by Mr. King to close Public hearing and have a site inspection. Seconded by Kenny Schneider. All members voting yes.

Motion made by Kenny Schneider to delay any further action by Board until after the on site inspection. All members voting yes.

REGULAR MEETING MAY 9, 1979 CONTINUEDE.R.CORCORAN INC. - APPLICATION 5-79

MOTION WAS MADE AND SECONDED TO HAVE A 5 Minute recess. All members voted yes.

Robert Conforti representing E.R. Corcoran Inc. Mr. Corcoran was sworn in by Attorney Ragan and stated his name and address as Edward Raymond Corcoran 390 East Main Street, Manasquan and the following exhibits were marked into evidence.

- A-1 Deniel from Construction Official
- A-2 Notice of appeal and variance application
- A-3 Notification to applicant of hearing date
- A-4 List of property owners
- A-5 Notice of hearing to property owners
- A-6 Affidavit of Proff of Service
- A-7 Survey by Ted C. Frank, dated April 19, 1971
- A-8 Sketch drawn by Mr. Corcoran
- A-9 Color rendering
- A-10 6 photos
- A-11 Photo of front door

new
tape

Mr. Conforti stated that the original application was filed by Mr. Corcoran for a D variance and it would be their position that the letter of denial was improperly issued by the municipal official.

Mr. Corcoran stated that he was the owner and operator of the Manasquan Inn, located at 390 E. Main Street; that he had owned the Inn for 11 years. At the time of purchase the Inn was in a hotel zone on the tax map and that it was now located in an R-1 Zone; that there were approximately 75 seats. He then told the board what he would like to do in the front of the building and gave testimony about his background in construction and said that he would act as the general contractor. The new section would be approximately 11 ft. in width and 30 feet long, using Anderson windows; that there would be 6 tables of 4 to seat 24 people. Mr. Corcoran then explained how his business has changed to a dinner business. He stated that there was a parking lot on the westerly side of the building to hold 52 cars; that he might have to employ 1 extra waitress. He then spoke about new proposed E.P.A. regulations to supply non smoking areas in bars. He stated that during the past year they had not needed to call the police on any calls; that his operating hours were 12 noon to 2 a.m.; that the room would be winterized with electric baseboard heat; that he only anticipates 5 or 6 extra cars; that there will be a fire door on the easterly end of new section; that his entertainment is one guitarist; that he was not going to extend the tape deck system; that lighting would be minimal to accent columns, no added spotlights; that the air conditioner would be hidden on roof with decorative fence.

Mr. Conforti to provide information to Board about E.P.A. regulations.

Mr. VanSchoick called a five minute recess. 10:40

REGULAR MEETING CON'T-MAY 9, 1980

E.R.CORCORAN CON'T

continue hearing 10:50. Roll call, all members present.

Presant air conditioner on driveway side of building on supported platform. That driveway is in process of being repaired.

Mr. King asked about disturbances and was told that there were three calls placed, by owner, in past 2 years unrelated to bar and restaurant. That the owner didn't feel additional security was needed. That there was parking permitted on both sides of Main Street and Potter Avenue.

Mr. VanSchoick noted that there were two unsigned letters that could not be read into proceedings.

Mr. Ragan read three other letters into record. One from Joseph Fitzpatrick, 425 E. Main St. & from the Egan Family 406 E. Main St. both in favor of variance. One letter from the Mountfords, 23 Potter Ave., the Magliacane 165 Fletcher Avenue, against the variance.

Ines Magliacane, 165 Fletcher Ave., spoke about parking and was against variance.

Anne Quigley, 20 N. Potter Ave., spoke about parking and was infavor of variance.

Blanch Neil, 376 E. Main St., lives next door to Inn and has no objections.

Ruth Mitchell, 28 Potter Ave., has no objections.

Motion made by Ed Piotrowski, seconded by Ruth Dillon to close public hearing. All members voting yes.

Motion made by Raymond King to have a site inspecton before next meeting, by all members and have Mr. Conforti come in with law relating to non-smoking areas and continue hearing until next regular meeting. All members voting yes. On site inspection to be Saturday at 10 a.m.

At last special meeting Board decided to go forward with contesting decision of Borough Attorney thru Building Inspector but not to take legal action until meeting, if someone had not come forward to protest allowing of the sign to be erected, and we are not ready to continue discussion.

Attorney Ragan read resolution 11-79, moved by Ed Piotrowski, seconded by Kenny Schneider, All members voting yes.

Motion moved by Ruth Dillon to adjourn to a private discussion, seconded. All members voting yes.

Motion made by Ruth Dillon to close private meeting seconded by James VanSchoick. All members voting yes.

REGULAR MEETING - MAY 9, 1979 CON'TJ.C.WILLIAMS CON'T

Motion made for a special work session May 16. All members voting yes.

Motion made for Attorney to take whatever action is necessary including legal suit. All members voting yes.

Motion authorizing Jo-Ellen Brown to send notices of hearing. All members voting yes.

Motion to adjourn. All members voting yes.

Jo-Ellen Brown, Sec'y

SPECIAL MEETING MANASQUAN BOARD OF ADJUSTMENT MAY 16, 1979

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, Ed Piotrowski, Kenny Schneider, James VanSchoick and Attorney Ragan

MEMBERS ABSENT: Messrs. Harry Huebner and Howard Wright

Meeting was called to order by Vice Chairman VanSchoick with the Salute to the Flag, announced it was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Asbury Park Press and the Coast Star.

Before Board was correspondence of J.C. Williams Billboard Sign from Dan Miller Construction Official.

Adjourned to private meeting. All members voting yes.

Adjourned private meeting. All members voting yes.

Minutes from April 18 and April 25 were moved and passed. All members voting yes.

Meeting was called for on June 8, 1979 work session at 7:30 - Request Dan Miller and Jerry Iannelli, J.C. Williams Co. and John McMullen to be present at meeting.

Dominic Incolla application 4-79 asking for a year yard variance. Mr. VanSchoick and Mr. King didn't feel Mr. Carton proved hardship. Mr. King made a motion to draw a negative resolution to be voted on at the regular meeting June 13, 1980.

E.R. Corcoran Application 5-79 - Board is in favor of granting a resolution with conditions. Mr. King opposed. Board will vote on resolution at the June 13, 1980 meeting.

Mr. King moved a motion that Mr. VanSchoick be appointed vice chairman of the Board in re of Harry Huebners resignation, seconded by Ruth Dillon. All members voting yes.

Motion was made and seconded to adjourn meeting. All members voting yes.

Jo-Ellen Brown, Sec'y

SPECIAL MEETING JUNE 8, 1979 - BOARD OF ADJUSTMENT

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, Ed Piotrowski, Kenny Schneider, James VanSchoick and Attorney Peter Ragan

MEMBERS ABSENT: Mrssrs. Howard Wright and Harry Huebner

Meeting was opened with Vice Chairman VanSchoick calling for a roll call, 5 members were present representing a quorum. Held the Salute to the Flag, announced it was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and the Asbury Park Press.

Mr. VanSchoick announced that the meeting was a public hearing of an appeal of the Construction officials issuance of a building permit to J.C. Williams Co. and the following exhibits were marked into evidence from Mr. Miller's file.

1. Copy of building permit and application (3 pages) 3/1 7/79
2. Letter addressed to Charles Starkey from Andres dated 2/10/79
3. Letter to DOT from Charles Starkey dated Jan. 5, 1979 attached letter from Dorothy Andres dated 7/5/79 to Mr. Logan. Attached letter Ralph G. Logan from Mildred B. Ludwig dated 12/7/78. Attached letter TDI from VanHorn and Dolan dated 12/27/78. Attached letter to Ralph G. Logan from Dorothy I. Andres dated 12/8/78.
4. Letter Borough of Manasquan dated 3/23/79 from Kenneth Fitzsimmons.
5. Kenneth Fitzsimmons from Dan Miller dated 3/21/79 with map attached.
6. Borough of Manasquan Att: Dan Miller from Kenneth Fitzsimmons dated 3/18/79
7. Hand written letter.
8. Daniel letter from building inspector, Dan Miller, with hand written notes 5.2.78
9. Charles Starkey from Dorothy Andres dated 1/12/79
10. Mayor and Council from Charles Starkey dated 11/10/78.
11. Hand written notes - J.C. Williams sign. (yellow sheet)
12. J.C. Williams Co. from Joseph Sorento dated 7/13/78
13. Daniel Miller from J.C. Williams Co., Ralph Logan, with map.
14. J.C. Williams from William Baker dated Jan. 25, 1978. D.O.T.
15. Blue print from hand written notations - side view.
16. State of N.J. D.O.T. Outdoor Advertising permit # 14778-1978. front and back.
17. May 15, 1979 to Bd. of Adjustment from Dan Miller
18. 5/11/79 to J.C. Williams Co. transmitted by Certified mail 5/14
19. Notice of appeal -5/8/79 - 2 pgs. John McMuller
20. List of property owners
21. Notice of public hearing and green cards/receipts of certif mail
22. Affidavit of proff of service - #6-79 Man 22, 1979.
23. Affidavit of publication
24. 6/4/79 Advertising D.O.T. / application for outdoor advertising permit
25. R-solution 10-79 dttd April 25, 1979
26. REsolution 11-79 Dated May 9, 1979.

Stephen A. Pardes from office of Ken Fitzsimmons made motion for all

BOARD OF ADJUSTMENT

Members present; Mr. Auwaerter, Denman, Dombrosky, gedrowicz and VanSchoick;
Mr. Moench, Atty. for the Board

CONTINUATION OF HEARING FOR: JHV HOLDING CORP. in reference to "Construction of apartments in a residential zone on Blk 45 Lot 15D, 15G and 15I.

Mr. John Powers, Attorney for the JHV Holding Corp. requested mr. Frank Sterns to come to the stand.

Mr. Frank Sterns, 6 Garners Lane, Manasquan, was sworn and stated he was a retired Civil Engineer. Mr. Powers asked the Board to review the plan marked A-4 in evidence. Mr. Sterns stated this was done by his son-in-law and that Mr. Sterns was a consultant on the project. He stated that the drainage was suitable for the 28 unit apartments that there would be 18" storm sewers and there would be 6" water mains that would be adequate for the apartments. He also stated that there would be one hydrant at the end of the water line at the East end of Bldg. B and felt that this was enough.

Mr. Bruce Wetzel, Attorney for the opposition group called "Citizens for Responsible Land Development" questioned Mr. Sterns to the fact that the drainage at the proposed site now is good for the reason it is not black topped like it would be if the apartments were to be erected. He also stated that an easement would be needed to drain the water off into the sewer lines and he would have to get easement to Cherry Place to have water drain that way.

Mr. Wetzel asked how many site plans had Mr. Sterns prepared since he has been in business and he stated about 10 to 20 and that this was his first apartment since most were office buildings. Mr. Wetzel Questioned Mr. Sterns on the fact that the parking spaces were blocking the fire hydrant and would make it quite impossible for the fire trucks to turn around and run hose from Bldg B to the back of Bldg. A. He also asked Mr. Sterns how large was a fire truck, to which he was told he did not know. Mr. Sterns stated if the fire company felt it necessary to put in two hydrants this could be done..

Mr. Auwaerter stated that on the plan it showed the drainage pipe as being 12". Mr. Sterns said this is what it should be, not 18".

Mr. Carl Johnson, Broad Street, asked if Mr. Sterns knew how many taps were in the 6" water main and did he feel if 28 more onto the main would make a difference Mr. Sterns stated he did not know how many taps there were and if there were 100 to 200, the apartments would not make any difference.

Mr. Cliff Richards, 11 Willow Way stated the water now soaks into ground and into drains in Squan Village and then into brook that can't handle now and the apartments would only make it worse.

Mr. Powers stated that was all of his witnesses and turned the hearing over to Mr. Wetzel.

Mr. Wetzel stated that he felt this case should be dismissed as did not meet requirements of the zoning ordinance and based on the minutes he had read and the evidence shown he felt was definely violated. Mr. Dombrosky said the the Board would reserve decision on this and to please proceed.

Mr. P. David Zimmermann, Mt. Pleasant Road, Morristown, N.J. was sworn and stated he was a licenses professtional planner in Morristown, and has been one for 10 years. He stated he studied the neighborhood and the proposed plans for the apartments at the request of Mr. Wetzel. He observed the area within 200' of the property and found it to be 100% single family dwellings. He made a density study of the area and found there were 4.39 dwellings per acre and that most lots were 50' x 60' and compared this to the 28 units per 1.38 acres or or 20 dwellings per acre.. According to the M nmouth County Planning Board Book, there should be only 10 to 12 per acre and these plans double this. He stated that the proposed site plan shows 24.34% of the land covered against the 10% stated should be by the Mon. Co. Planning Board. The parking facilities are off by 7. The proposed plans have 1.5 per unit and should 1.75. He also stated that parking spots should be 10 x 30' as cars are now 20' long. In refer-

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ence to ingress and egress he felt the driveway was not wide enough as people were sure to park on both side so the rode as any one knows it is better to park near your door when you have packages and company has no place to park. He also stated that there was not enough turn-around area for emergency vehicles, and that the parking as it is now is overcrowded.

He also stated that 15% of the land area should be for recreational facilities and the plans show no area for same. Even apartments where there is a restricted age, there is an area for recreation.

When asked about the dumpster, Mr. Zimmerman stated he saw no provisions made for one and if it was put in parking lot thss would eliminate two parking areas.

Mr. Zimmerman stated is was not realistic to try to make apartments child free with homes hard to obtain at the present, also new couples will rent till they find a home or able to afford one.

Mr. Zimmerman started to refer to the Sternleaf report to which Mr. Powers objected since he had no copy to refer to.

Mr. Zimmerman stated the buildings were far to large for the area (Apartment A is 226' long and Apartment B is 100 ' long. Also to get to the rear of the apartments for emergency problems would be to hard.

Mr. Zimmerman concluded that the area was 100% home owners and this would put in 28 renters. He stated that this developement was grossly inappropriate and he failed to see where these apartments would meet purpose of the Zoning Ordinance or state statute. Statd he felt that residential homes were better.

Mr. Powers questioned Mr. Zimmerman on several items such as how long he had a planner (4 years); where was most of his experience (N.J.); when he graduated and from where (1961 and from Rutgers); if he was against apartments (No if against apartments perse; just that this is bad location for one. He also stated he did not know if one was needed in Manasquan.) Mr. Powers asked how many times he looked at property in question. Mr. Zimmerman stated he had been there three times about three weeks ago during the hours of 9 to 5 (work week) and that he had toured the neighboring area and the property in question , of which he described for Mr. Powers. Mr. Powers asked if he had taken a look at the apartments known as Brandywyne and Governors Court to which he stated he had not.

Many questions asked by the audience, the Board stated that these were problems, should the variance be granted, that would be answered by the Stated Planing Board, The Building Inspector and the Borough Engineer, and the Mayor and Council.

Mr. Patrick Foley, 8 Cherry Place, stated taht three years ago, Mr. Wright tried to place residential homes in area and was blocked by the Planning Board. If this project is turned down, what is this man to do now.

Mr. Ronald Jensen, Broad Street, Stated he knew the area around his house when he bought was all residential and did not care to have apartments in his back yard.

Mr. Wetzel, stated that the apartments were not in character with the neighborhood or district and the applicant had little to say about the surrounding neighborhood and that the proposed partment would be detrimental to the property value of the surrounding home owners. Mr. Wetzel also felt one fire hydrant was insufficient for the two buildings, as a fire hose would not be able to reach Bldg. B. He also stated there was no recreational facilities and he felt the buildings looked like a concrete jungle and to his knowledge there would be no live in super and proper protection for residents in buildings. Mr. Wetzel felt the variance for these apartments should be denied.

Mr. Powers felt if photos of the area as it existed now were taken into consideration, the Board would feel the apartments were an improvement. He stated the apartments were not designed for children, and did not expect t be rented to families with children and would on the line of the Brandywyne and Berekly Heights apartments. He stated the existing conditions are an eye sore, but a denial was given when Mr. Wright wanted to put homes on the property. He stated the rent of the existing buildings was around \$145 and new apartments rents would go to \$300. He felt the apartments would be a tqx benefit to the town.

Mr. VanSchoick made a motion that the Board reserve decision of this hearing until Wednesday, November 14th, at 8:00 P.M.. This motion was seconded by Mr. Gedrowitz; carried by the following vote; Mr. Auwaerter, Denman, Dombrosky Gedrowicz and VanSchoick.

CONTINUATION OF HEARING: Ninbarry Consturction Co. Inc.- Application for variance to construct garden apartments on Blk 93 Lot 1-

Mr. Owen B. Pearce, Attorney for the Ninbarry Construction Co. Inc. recalled to the stand Mr. Morgan Martin Davis, 326 Third Street, Lakewood. Mr. Davis brought forward a new site plan with the suggested revisions on same., such as the location of the dumpster, space for turning emergency vehicles, and stated the only change they did not make was the location of the fire hydrant as they this was not necessary but would do so if the fire chief wanted same done. The revised site plan was marked into evidence as A-9.

Davis marked on the site plan the areas that were to be changed. He stated the dumpster would be located at the northerly end of the building near the entrance. He stated the turnaround area for emergency vehicles would be increased to 43'. He stated that access to the rear of the property was widened to 12', which he felt was adequate for emergency vehicles.

Mr. Davis showed on the site plan that better access could be made by moving southern units to west, but he would rather not if not necessary. He had been in touch with the Ninbarry Consturction Co. and had no objection to the change if this was to be. Mr. Davis then gave numbers to the chages which are as follow; 1- Dumpster; 2- Turn around; 3-Portion of units that could be moved if required by Board.

Mr. Davis was then questioned by Board members on the trees and shrubs shown on the site plan and was told these just indicated where plants could be place. The Board did not feel it fair to cover sketching with shrub drawings.

John Foley, 95 Colby Avenue, questioned the type of buffer to be used. He was told that a fence would be the buffer with live shrubs planted next to the fence.

Robert Fesq, 103 Colby Avenue, questioned if there would be a live in super and was told that there would be. He was also told that the fence and shrubs would shadow the car lites and they came into the parking areas.

Mr. Denver, 75 Colby Avenue, was told that 16 units would be facing the homes on Colby ave. and that the ~~xxxxxx~~ shortest distance from the fence by the homes to the apartments would be 20' and the farthest would be 50' and that the driveway will be some 20' from the apartments.

Mr. Frank Sterns was then recalled to the stand and stated that the professional opinion was that the hydrant was in the correct place but could be moved if the fire chief felt that this was necessary.

Mr. Sterns then discussed the drainage of the property in question and stated that the flow would be towards Stockton Lake Blvd. and that he felt that the drainage on Stockton Lake Blvd. could handle the apartments. He stated that catch basins could be put on both sides of the dirveway and be piped into the lake. An easement from the Borough would have to be obtained. Mr. Sterns then produced a drainage area overlay which was marked into evidence as A-10.

A recess was called.

The meeting was then called to order with the roll showing Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick present.

Mr. Dombrosky asked if ther were any questions from the objectors to which there were none.

Mr. Pearce then made his summation to which he stated that the Ninbarry Construction Co. Inc. planned to take a parcel of land that was totally unsuited for what it was zoned for. He felt that apartments were far more compatible than a light industry which could go in this area unquestioned. He felt that light industry was very undesirable and would detract from the value of the adjoining property. He felt that the apartments would be a good ratabe for the town.

Mr. VanSchoick made a motion the Board reserve decision for this hearing until Wednesday, Nov. 14, 1973 at 8:30 P.M. Motion carried by Mr. Auwaerter, Denman Dombrosky, Gedrowicz and VanSchoick.

September 12, 1973

BOARD OF ADJUSTMENT

Members present; Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick

CONTINUATION OF HEARING FOR: William F. Beams, Blk 65 Lot 25; Variance to build a two story building with two offices on the ground floor and two apartments on the second floor.

A decision was read in the form of a resolution. A motion that same be accepted was made by Mr. Auwaerter, seconded by Mr. VanSchoick. The motion was carried by the following vote; Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick- No- None.

CONTINUATION OF HEARING FOR: JHV Holding Corp. in reference to "Construction of apartments in a residential zone on Blk 45 Lot 15D, 15G, 15I--

Mr. Bruce Wetzel, Attorney approached the chair stating he had been retained by a group who are called "Citizens for Responsible Land Development", who are in opposition to the apartments in question. He also stated that since he had just been retained, he could not get his qualified witness for this meeting but would be ready by the next meeting on October 10, 1973.

Mr. John Powers, Attorney for the JHV Holding Corp. stated he and his client were willing to continue on October 10, 1973.

Mr. Frederick Moench, Attorney for the Board of Adjustment asked if any one in the audience cared to object to which no one voiced an opinion.

Mr. VanSchoick made a motion that the hearing for the JHV Holding Corp. to continue on October 10, 1973, seconded by Mr. Denman; Carried by the following vote; Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick. No- None.

HEARING FOR: Ninbarry Construction Co. Inc.-Application for variance to construct four - two (2) bedroom and fourteen - One (1) bedroom garden apartments on Blk 93 Lot 1;

Mr. Owen B. Pearce stated he was the attorney for the Ninbarry Construction Co. Inc. and Thomas O'Brian was his associate.

Mr. Pearce put into evidence the denial of application for building permit and marked as A-1.

Mr. Barry Wishnek, 1115 Brookside Road, Piscataway, N.J. was sworn and stated he was an associate of the Ninbarry Construction Co. Inc.. He stated he had contracted to purchase the property in question on May 1, 1973 from Clement and Ruth Danish. The Contract was put into evidence and marked A-2.

When asked by Mr. Pearce what use he had for the property in question, Mr. Wishnak stated that he would like to construct garden apartments contingent to approval by the Board. He stated he was a developer with his father and the Corp. had been in business for 22 years and developed all types of buildings. They have active projects in Lakewood, Wall Twp. and Spotswood.

When asked about maintaining the property and apartments, Mr. Wishnak stated either one of his employees would reside at the apartments and be a super or he, himself would live there.

He stated there would be 14 - one bedroom apartments and 4 two bedroom apartments. The rent would be approximately \$200 for the one bedroom and \$230-235 for the two bedroom apartment. He stated he would rather not state the value of the apartment building off the top of his head as he did not know the exact figure.

Mr. Morgan Martin Davis, 326 Third Street, Lakewood was sworn and stated he has been a registered architect for 19 years. He has made designs for commercial and multi-resident buildings in N.J., Conn., Pa., Fla., and Delaware. He has done approximately 1000 apartments, a 108 unit Senior Citizen ~~xxxxx~~ development in Lakewood, condominium apartments in Jackson, apartment building in Toms River, Bayonne, Jersey City and Newark. He has done high-rise and low-rise apartments.

Mr. Morgan stated he had been retained by the Ninbarry Construction Co. to design apartments for the property in question. Mr. Pearce then put into evidence a rendering of Mr. Davis's design and this was marked into evidence as A-3. Mr. Pearce then asked if this was to scale to which Mr. Davis answered yes. ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Mr. Pearce then put into evidence the site plan of the 18 unit apartments done on June 5, 1973, revised on June 7, 1973 and this was marked A-4.

Marked A-5 into evidence was a prepared plan showing the floor plan of a typical one and two bedroom apartment. Mr. Davis then gave a resume of the apartments; He stated there would be four 2 bedroom apartments with the following dimensions; Living room- $13\frac{1}{2}$ x 20, Kitchen - 8 x 9.6, Dining area- 10x9.6, Master bedroom - $11\frac{1}{2}$ x 15.4, second bedroom - $11\frac{1}{2}$ x 12 and would contain $1\frac{1}{2}$ baths. the one bedroom apartments will contain the following; Living room - 12 x 20, Kitchen - 8x9, Dining area - 10 x 9, Master bedroom $11\frac{1}{2}$ x $15\frac{1}{2}$ and 1 large bath. Ground floor units will have a patio with sliding doors, concrete slab with small shrubs. Second floor units will have deck supported by brick pilars.

When asked about parking, Mr. Davis stated there will be 29 parking spaces for 18 tenants - $1\frac{1}{2}$ per unit-; Garbage facilities are to be a dumpster adjacent to storage and laundry area.

Mr. Davis stated the driveway entrance will be from Stockton Lake Blvd. and will be 23' wide and ample to accomodate any emergency equipment. There will be a set back of 20' from property line with 55' on the north side. All setbacks comply with Zoning Ordinance.

Mr. Gedrowicz asked what the sound proofing would be made of and he was told it would be gypsum wall board , the fire wall will bat type insulation ~~XXXXXX~~
~~XX~~

Mr. Auwaerter asked the measurements of the apartments and was told the two bedroom apartments would be 24' wide by 42' deep and the one bedroom apartments would 22' wide and 36.8' deep.

Mr. Pearce asked Mr. Davis to point out where the storage and laundry would be located and Mr. Davis stated they would be at the sountherly end of the apartments and would be in the cellar.

Mr. Denman asked about attice storage and was told there would be none. Mr. Davis also informed Mr. Denman that there would be hot water heat and that each apartment would have its own air conditioner.

Mr. Auwaerter questioned facilities for children and was told that there were none. Don Preckwinkle, 21 Stockton Lake Blvd. questioned where dumpster was to be located and was told it will be at opposite end from Stockton Lake Blvd.

Mr. John Foley, 95 Colby Avenue, presented the Board at this time with a petition signed by residents on Stockton Lake Blvd. , Taylor Avenue and Colby Avenue that were against these apartments. Mr. Pearce objected to the Board accepting the petition as the people who signed same had no knowledge what the apartments would look like and if they should be against the development they should appear and testify to same.

Mr. Pearce then questioned Mr. Davis on lighting for apartment area and was told the lights would be mercury vapor on standards and would shine into the project and not into the neighboring area.

Mr. George Edwards, 4 Forest Avenue, Manasquan, was sworn and Stated he land surveyor and had been associated with the Frank Sterns for 12 years. At this time Mr. Pearce put into evidence a plot plan that was done on July 7, 1973 by Mr. Edwards and this was marked A-6. Mr. Edwards stated the highest point was 24' and then dropped to 18' at Stockton Lake Blvd., a drop of 6'. When asked he stated the 24' etc. was above sea level.

Mr. Frank Sterns, 6 Gardners Lane, Manasquan was sworn and stated he was a retired Civil Engineer, had been one for 44 years and had been retained by the Ninbarry Construction Co. to survey the water and sewer lines for the proposed project. Mr. Sterns then referred to the Plot plan (A-4) already in evidence and stated that there was enough pitch to the land to have natural drainage.

Mr. Sterns stated that there was a catch basin located some 300' to the east on Stockton Lake Blvd. He also stated that there would be no drainage to adjacent property owners. He informed Mr. VanSchoick that the fire hydrant shown on the plan could be move to the proper area that was recommended by the Chief of the Fire Co.

Mr. Remele, 33 Stockton Lake Blvd. stated the catch basin Mr. Sterns was referring to was nothing but a 10" pipe running under Colby Avenue.

Mr. Pearce stated that the developer would contact the Borough Engineer and make the necessary plans for the right amount of catch basins.

At this time the meeting recessed.

Roll was again called with members Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick present.

John F. Cattanach, 2577 Algonkin Trail, Wall Twp. was sworn and stated he was an appraisal of real estate and employed by the Municipal Revaluation, Inc. He stated he was Vice-President and part owner of the firm. He stated he had appraised residences, commercials industrials and apartment houses in nineteen counties of the State of New Jersey.

Mr. Pearce then asked if he had examined the property in question and he had done same. Mr. Cattanach then put into evidence two aerial photos marked A-7 and A-8. A-7 was the property in question from a NE angle and A-8 was the property from a SE angle.

Mr. Cattanach stated he had appraised the property last week and found all utilities available - gas, electric, water & sewer and telephone. He stated this property is zoned light industry and possible a three story building could be erected there for use as a factory ~~or~~ and if yard was used for storage, it could be heavily lighted to prevent theft which could be annoying to the adjacent property owners. If a laundry for example was put in there, there would be trucks going in and out. Mr. Cattanach felt the highest and best use for the property in question is to put an apartment on the land.

Mr. William E. Roach, Jr., & magna Lane, Somerville, N.J. was sworn and stated he was a professional planner and that he graduated from Rutgers Univ. in 1951. He stated Mr. Pearce asked him to familiarize himself with the site in question and he did so by walking the area and looking at the site plan, and the Zoning Ordinance. He noted the apartment arrangement would be a buffer for the homes on Colby Ave. from the railroad and Hiway 71. He stated the attractive front would be facing the homes of the Colby Ave. and that the location of the apartment would be an easy walk to the center of town and the Acme food market and banks.

Mr. Roach stated that there was a great need for apartments throughout New Jersey as the rate of retirement is growing fast and these people are looking for places to live that will not require a great deal of care on their part. He stated a survey of Monmouth County showed that 75% of the one bedroom apartments are used by Senior Citizens and the two bedroom apartments are used by 71% Senior Citizen groups.

When asked by Mr. Denman if he was familiar with the present apartments in Manasquan, he stated he was not and did not know the occupancy of the apartments. He felt however, the apartments in question would be good for school teachers, Senior Citizens or policemen who do not have any children as yet.

At this point, Mr. Moench requested that Mr. Pearce please update his Affidavit of service and have here before the next meeting.

Mr. VanSchoick made a motion that this meeting of the Ninbarry Construction Co. be continued on October 10, 1973 after the JHV Holding Corp. hearing. Motion carried by Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick. No-none.

July 11, 1973

BOARD OF ADJUSTMENT HEARING FOR:

Final hearing on Exxon Company USA car-wash(Humble Oil & Refining Co)-
Corner of Main Street and Union Avenue - Blk 65 - Lots 120/124;

For a variance from the Zoning Ordinance to permit construction of a
car-wash and additional pump island and signs.

Board members present were Mr. Auwaeter, Denman, Dombrosky, Leming and
VanSchoick. Mr. Frederick J. Moench, Attorney for the Board was also
present.

Mr. VanSchoick returned to the chairman position as he was chairman for
the other Humble Oil hearings.

Mr. Moench, wanted to have the records state that Mr. Leming appointment
for the Board was held over till this case came to its conclusion.

Mr. Owen B. Pearce, Attorney for Humble Oil, stated he wished to hear
statements from all Board members that they had either attended all
the meetings or read the minutes of the meetings in transcripts that
Mr. Pearce had provided for the Board.

Mr. Moench state all members had read minutes and had attended three (3)
hour meeting in his office and had reviewed all records.

The clerk then had a roll call with the following results;

Mr. Auwaerter- Attended all meetings, Mr. Denman- Missed one (1) meet-
ing and had read transcript; Mr. Dombrosky- Missed one (1) meeting and had
read transcript; Mr. Leming- missed two (2) meetings and had read transcript;
Mr. VanSchoick- Attended all meetings.

Mr. Moench then read the decision of the Board for the Humble Oil &
Refining Co.

Mr. Leming moved the resolution be accepted, seconded by Mr. Denman.
This was carried by the following vote- Mr. Auwaerter, Denman, Dombrosky,
Leming and VanSchoick. No- None.

Mr. Moench wanted the records to show recognition for Mr. Leming who had
in several years on the Board of Adjustment and done a good job.

At this time, Mr. VanSchoick stepped down from the position of chairman,
and Mr. Dombrosky, the present chairman returned to his position.
Mr. Leming retired his position on the Board to the new regular member,
Mr. Frank Gedrowicz.

CONTINUATION

CONTINUATION ON THE HEARING FOR CARMEN CAMPENELLI; 89 Morris Avenue,
Blk 71 Lot 104 and 106; Variance to partly demolish a 2½ story masonry
garage apartment and rebuild new two (2) story one family dwelling.

Mr. Moench stated before the resolution was read, that Mr. Owen B. Pearce,
Attorney for the Campenellis, should amend variance to read under 40:55-39,
paragraph D- stating the Board may recommend in particular cases to the
governing body of the municipality the granting of a variance to allow a
enlargement of a non-conforming structure.

Mr. Pearce did same.

The resolution was read with Mr. Auwaerter making motion this be accepted,
seconded by Mr. Gedrowicz. Carried by the following vote-Mr. Auwaerter,
Denman, Dombrosky, Gedrowicz, and VanSchoick. No- none..

July 11, 1973 (cont)

CONTINUATION OF HEARING ON WILLIAM F. BEAMS: in reference to Blk 65-Lot25; Variance to build a two (2) story building with two (2) offices on the ground floor and two (2) apartments on the second floor.

Mr. Richard Maguire stated that he was the Attorney for Mr. Beams.

Mr. William Beams was then again sworn and stated that he lived at 86 Stockton Lake Blvd.

Mr. Maguire then put into evidence plans for the proposed building, consisting of four sheets prepared at the direction of the Board. This was marked A-7.

Mr. Maguire then referred back to the Sub-division plan marked as A-3. Mr. Beams stated that the three(3) foot extension at east end of the building has been removed and the building is now squared off. Mr. Beams was then asked to scribe and initial part on the plan that would be removed. Mr. Beams stated with the renovations he intended to use the added space for two(2) car parking area instead of one(1) as formally shown. the area would now measure 8½' x 40' - 20' for each car. Business parking would have to be across the street in the Municipal lot. He also stated that there would be a 7' concrete entrance walk-rest to be sodded with grass and there will be a 3' wide walk in rear of building. He then stated there would be no storage space and the furnace door will open inward. Mr. Beams then answered several questions for the Board members.

Mr. Moench then sked Mr. Maguire to waive the 95 day period to which Mr. Maguire and Mr. Beams agreed. A motions was then made by Mr. Denman to reserve decision on this hearing and give the decision of same September 12, 1973 at 7:30 P.M, seconded by Mr. VanSchoick- Motion carried by the following vote-Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick. NO-None.

CONTINUATION OF HEARING ON THE JHV HOLDING CORPORATION: in reference to "Construction of apartments in a residential zone on Blk 45-Lot 15D,15G and 15I.

John H. Power stated again he was the attorney for the JHV Holding Corp.

Mr. John G. Wright was sworn and stated he lived at 309 New York Blvd. in Sea Girt. He holds the position of President for the JHV Holding Corp., with Henry Wright, Vice-President and Virginia Wright as Treasurer. There are no other share holders in the corporation. Mr. powers also stated that he has been a builder for seven years. He has built about 30 homes in Sea Girt, Manasquan, Wall and Brielle. He has built 2 professional buildings on Hiway 71 in Brielle next to the Steer and Spirits with a 3rd one going up at the present.

Mr. Powers then put into evidence a revised site plan that had apartments marked A & B and also had dimensions of rear side and driveway entrance that were in question at the last hearing. This was marked as A-4.

Mr. Wright stated he would like to build an apartment building of 28 units in Manasquan. He would retain ownership. He also stated that the property after it was first purchased by the JHV Holding Corp, was he hoped to be sub-divided so as to build homes on the land in question. This was taken before the Planning Board and permission to do so was denied. He stated that the present use of the property is; the house in the front is rented to a family- at the rear of the property are four buildings that are leased to thirteen tenants, a.e. plumbers, heavy equipment, bulldozers, taxidermists, masons, and an owner of several schoolbuses.

Mr. Powers then put into evidence a series of pictures showing the existing buildings. These were marked A-5. These photos were taken a month and half before the first hearing before the Board, and were taken by Virginia Wright.

Marked as A-6 and put into evidence was another panel of photos showing property in question plus the surrounding area. This was an aerial view also taken by Virginia Wright.

Mr. Wright stated prior to his decision to build apartments on this property

July 11, 1973 (cont)

he investigated the impact it may have on the school system. He contacted the Borough Clerk in Brielle and was informed that in the Brandywyne development there were 68 units with two children attending school; 11 units in the Berekly Square development with two school children. In Sea Girt, there were 20 units in Governors Court and 4 units in an apartment building owned by William Longstreet and that there are no children in these. In observing multi-family housing in Monmouth County, he found that one (1) bedroom units showed one school child per 100 units; two (2) bedroom units showed one school child for every three units.

Mr. Wright continued to say that the present use of the property has 13 tenants making some 40 to 42 trips with their vehicles in and out each day, such as pick-up trucks, back-hoes, six school buses when school is in session with charter service in the summer.

Mr. Wright then stated on the site plan it shows 42 parking areas at 10' X 20' each, which is required. It is also required in multi-dwelling to provide 1.3 spaces per unit for parking and he proposes 1.5 per unit.

When questioned by Mr. Power, Mr. Wright stated taxes on present land are \$1600 per year and with the proposed apartments this would bring in taxes approximately \$20,000.

Mr. Wright then stated that the apartments would cover 23.6% of the area in question.

In regard to sewage and water lines, Mr. Wright stated Mr. Newman, the Borough Engineer gave the information of 8" sewer lines and 6" waterlines and that the sewer lines were ample to take care of 28 units.

Mr. Moench stated that Mr. Newman gave only what he felt he could as Borough Engineer as his figures would be in favor of the applicant and he felt this would not be fair.

Mr. Wright then stated the special site plan shows storm sewer going thru easement on property owned by a Mr. Herrman of Spring Lake.

The plans for the apartments in question were then placed into evidence and marked A-7. Mr. Wright then stated that the present driveway is 12' and the new driveway will be as follows; 5' sidewalk, 20' driveway and then another 5' sidewalk. The driveway will be straight back to the parking area instead of curved as it is now. He stated Apartment A will be 6' from line as to the existing 18" off line now. As to the construction of buildings A & B, there is to be real brick veneer front, dormers for looks and storage; he felt it to be better than storage in the basement; there will be an 8' sloped roof, but this area will not be livable space- there will be shutters on the windows, colonial street lights, no recreation area, the parking area will be paved with bituminous and there will be a buffer of a living hedge or stockade fence.

Mr. Wright then gave a description of the apartments; Living room, full bath, four closets, kitchen, dining area, washer and dryer, stove and dishwasher, one or two bedrooms, air conditioning, security alarm; with the rent to be in the area of- one bedroom unit- \$240 per month and two bedroom units at \$300 per month.

Mr. Wright stated that all the old buildings would be demolished with the possibility of moving the house to another piece of property.

Mr. Power then entered into evidence a rendering of the apartments in question and these were marked as A-8. Mr. Wright then stated that this rendering was not drawn to scale but was only to give idea of what the apartments would look like.

Mr. Lou Green asked of Mr. Wright who he planned to rent to. He felt these would be too expensive for the Senior citizen. He also felt there was no need for another apartment building in Manasquan as we already have one to which Mr. Wright stated that the present apartment building was not of the #300 quality.

Mr. Green also asked of Mr. Wright, if he was not satisfied with the present tenants, why not get rid of them, clean the area up and control type of new tenants. Mr. Wright stated that the rent from the present tenants pay for the mortgage and taxes.

Mrs. Janet Slaboda, 32 Old Squan Road rebutted statistics of Mr. Wright and quoted from a book put out by the Monmouth County Planning Board titled "Multi-family Housing in Monmouth County". She quoted items of children who may attend school and parking areas.

C. Raymond King, 26 Spruce Road, asked of Mr. Wright of material to be used on exterior of building to which Mr. Wright replied there will be brick veneer, rear of building will also have brick on side with shutters on all windows and there will be firewalls. Rooflines were still an unsure item to Mr. Wright.

Mr. Harold Eckinsberger, 219 Broad Street asked how Mr. Wright came to the amount of traffic that passes in and out and he stated he based it on tenants that are there now. Mr. Eckinsberger also asked what here;ives for income on present tenants and was told 1600 permonth.

Mr. Carl Johnson, 239 Broad Street stated that the traffic at the present only comes and goes between the hours of 8 AM and 8 PM and only during the day. There is no traffic on week-ends and this would definitely increase with 28 units in an apartment building. He also questioned Mr. Wright to high of fence he could install as there is an 8' limit on fence height and if he planted trees as a buffer they would take up too much room.

Mrs. Maureen Walsh, 4 Cherry Place, asked in regard to application to the Planning Board are the surrounding residents notified and she was told for minor sub divisions no they are not. She also questioned the alarm system and was told it would not be connected with police headquarters but another tenant would be sure to hear the alarm and call the police.

Mr. Lucien Bauter, 75 Sea Girt Avenue, questioned that would not be enough room for fire fighting equipment to move around with either the fence or living hedge surrounding the building. Mr. Wright then stated he felt that there would be no problem for the apparatus.

Mr. Slaboda then questioned them on playground equipment stating that they should provide same to which Mrs. Murphy, 24 Old Squan Road asked if children should move into the apartments where would they play. They would possibly use the neighbors yards and that Mr. Wright should consider playground equipment.

Mrs. Slaboda then again quoted some items ~~from~~ from the Mon. Co. Planning Board book on Multi-family dwelling staing the minimum site are is supposed to be three acres and the land in questioned is not this large, as it is only 1.3 acres as shown on the tax map (page 9). She also stated that 12 units per acre is desirable and Mr. Wright is putting 28 units on 1.3 acres.

Mrs. Shirley Hurley asked how far back the apartments would be ~~from~~ from Sea Girt ave and was told they would be 38' from Sea Girt Avenue.

Ronald Jensen, 223 Broad Street, asked who was to maintain ground and what they planned to do about trash to which Mr. Wright stated that his Corp. would maintain the grounds, and the apartments will have garbage disposal and a dumpster would be on the grounds and he noted that this was not shown on the plans. Mr. Jensen also asked about the type of air condition was to be used to which the answer was Central air-conditioning with heat pump system.

Mr. Casey, 19 Spruce Avenue, asked if Mr. Wright computed property tax at approximately \$20,000 did this include having to pay police to protect the area, school tax for children that would attend school, garbage pick-up? Mr. Wright disagreed as he planned not to have tenants with children.

Mr. Eckinsberger asked Mr. Wright is he had heard complaints of the present tenants such as street light that is annoying and odor that is offensive and Mr. Wright stated he knew of odor but of no other complaints.

Mr. Peter Kennedy of 220 Broad Street asked if there was to be a "live-in" super and he was told no.

Mr. George Edwards, 4 Forrest Avenue, was sworn and stated he was a land surveyor and worked for Frank Sterns. He also stated he was a teacher. He then went into explanation of the drainage system, stating that there would be 12" drain pipes emptying into 18" drain pipes and this would be adequate for the proposed apartments.

Mr. Denman asked of Mr. Edwards what his qualifications were and he stated legally none. He had a Master's degree in Physics and worked under the advice of Mr. Frank Sterns.

After further questioning it was determined that Mr. Frank Sterns should be present for the next meeting of the Board of Adjustment.

Mr. Moench then asked Mr. Power if his client would waive the 65 day period due to the loss of time in sending the plans to Monmouth County Planning Board to which Mr. Power and Mr. Wright agreed.

It was agreed to continue the hearing on September 12, 1973 at 8:00 P.M.

A motion was made by Mr. Auwaerter to adjourn the meeting and continue the hearing for the JHV Holding Corp. on Sept. 12, 1973. Motion carried by the following vote; Mr. Auwaerter, Denman, Dombrosky, Gedrowicz and VanSchoick
No; none.....

Members present; Mr. Auwaerter, Dombrosky, Gedrowicz, Solt, King
and VanSchoick. Mr. Frederick J. Moench, Attorney

CONTINUATION OF HEARING FOR DR. FREDERIC PAPERTH

Mr. Moench, Attorney for the Board read the resolution in reference to the application for Dr. Paperth to erect a sign at 28 Union Avenue, Block 82, Lots 19A/21A. (Resolution can be found in file)

CONTINUATION OF HEARING FOR MIKE'S AUTO IMPORTS:

Mr. Moench, Attorney for the Board read the resolution in reference to the application for Michael DeLisa, Manager of Mike's Auto Imports to erect a sign at 50 Union Avenue, Block 82, Lots 24-25. (Resolution can be found in file)

HEARING FOR ARNE ANDERSON:

Mr. VanSchoick, board member disqualified himself due to conflict of interest.

Board members hearing this application- Auwaerter, Dombrosky, Gedrowicz, King and Solt.

Application is regaining non-conforming use at 80 Fletcher Avenue, Block 110 - Lot 3 .

Mr. Thomas E. O'Brien, stated he was the attorney for Mr. Anderson. He presented Mr. Moench with the affidavit of service.

Mr. O'Brien placed into evidence a letter received by Mr. Anderson from Mr. George Mantak, Code Enforcement Officer, denying Mr. Anderson a Certificate of Occupancy for an upstairs apartment.

Mr. Anderson was sworn and stated he lived at 80 Fletcher Avenue, Manasquan and has worked for Jersey Central Power and Light Co. since 1963 and is now a line foreman. He stated he lived in a residential zone and he property had on it one garage with an aptment over it and his house was a two unit building. He rented out the garage and when he first bought home, his mother-in-law was to reside in the upstairs apartment with two children and he and his wife and two sons were to live downstairs. He stated the upstairs consisted of three bedrooms, living room, dining area and bathroom. The downstairs had two bedrooms, living room, dining room, bath and kitchen.

Mr. Anderson stated the facilities upstairs in kitchen consisted of a kitchen with sink, gas stove, cabinets.

Mr. Anderson stated right after they moved into the house, his mother-in-law became ill and could not climb stairs, so she was moved downstairs and his two sons were moved upstairs. He also stated before this happen, he had interior stairwell closed off as there was an outside entrance to the upper apartment. This was removed when mother-in-law became ill and temporarily turned house into one family dwelling.

He stated in 1966, he turned his house total electric and had to remove gas range upstairs and did not replace it at that time. There is at present a provision outlet for an electric stove when needed and the work was done by H. C. Sauer.

Mr. Anderson stated he came to tax office and asked Mrs. Mary VanDorn if would hurt his status ~~ifxhx~~ of an upstairs apartment, if he had the water turned off as it was not being used as such at the moment and told it would not. This way he could save money and the pipes are still there. Mr. O'Brien asked Mr. Anderson if he had been notified his apartment was now a conforming use and he stated no. He stated the sink was still up in the apartment.

stated

Mr. Anderson, after the death of his mother-in-law in 1973, he decided to sell the house as it was too large for his family now. In march of 1973 he listed it with the VanNess Agency in Spring Lake.

Mr. O'Brien then put into evidence a realesate listing- and had it marked A-2.

needed in this area for Senior citizens and thsi type of project could be very beneficial for the town. He stated that these would not be rental apartments by purchaser owned outright by occupants and Association with the owners having voice. Pearce and Stanley would maintain control and management till last condominium was sold.

Letter from Donald M. Newman, Engineer was put into evididence and marked A-4.

Next put into evidence and marked as A-5 was the Contract of sale, between the Oro corp. and Edward stanley and the Bartin Developement Corp.

Mr. Samuel Perera was sworn and stated he resided at Woodland Avenue, Point Pleasant Beach and he was a builder; President and principal owner of the Bartin Develpment Corp; ttrading as Tas Land Corp. for tax purposes with the address-12 Malcolm Court - Clifton, N.J.. A-3 is now put into evidence.

Description by Mr. Perera; 18 - one bedroom ; 2 - townhouses; 4 - 2 bedroom apartments; there was to be 18% ground coverage on both sides of the creek with the need of relocating the creek- now creek will remain the same; building on one side reason being the drainage problem made it necessary to modify; redesigning of original plans was done to conform with the requirements of the original approval; found it too costly to put in extension piping to drain off water on adjoining property; the building coverage to be 18.05% as to 19% on old plans; recreational facilities on new plans as was optional on old;

Put into evidence was an approval from the Department of Environmental Protection and marked A-6. Also put into evidence was an approval from the County Engineer and this was marked as A-7.

Mr. Perera then gave description of the apartments and town houses. He stated there was to be a fire alarm system and smoke and heat detector system put into these apartments; exterior was to masonry concrete; clay tile roof Spanish type - firewall between apartments; windows- aluminum-thermopane; Cost; 1 bedroom = \$36,500, 2 bedroom = \$39,900, townhouses = \$47,900; he stated there was to be 370' frontage on Mount Lane-building to be 180' long; one hydrant required and there is one existing; there are to be 39 parking spaces for 22 units-1.6 per unit; there is to outside lighting on buildings and grounds; underground sprinkler system; air-conditioning controlled by the individual; inground trash recepticle;

Mr. Moench then stated the Affidavit of Service was in order.

Mr. VanSchoick made the motiod due to the lateness of the hour, the hearing should be continued on April 10, 1974 at 8:00 P.M. Seconded by Mr. Gedrowicz- Motion carried by Mr. Auwaerter, Dombrosky, Gedrowcz, King, Solt, and VanSchoick.

BOARD OF ADJUSTMENT HEARING: APRIL 10, 1974

CONTINUATION OF HEARING FOR ARNE ANDERSON; Regaining non-conforming use at 80 Fletcher Avenue-Block 110 - Lot 3.

Board members present; Mr. Auwaerter, Dombrosky and Gedrowicz. Mr. VanSchoick disqualified himself due to conflict of interest. Also present was Mr. Moench, Attorney for the Board.

Mr. O'Brien, attorney for Mr. Anderson requested postponement of this hearing until May 15th, 1974 when there should be a full board. He also stated that they would waive the statute 40:55-45 of decision to be made within 65 days. Mr. Auwaerter made the motion to adjourn the hearing of Mr. Anderson until May 15, 1974 due to the lack of a full board at this meeting at the request of council and accept the attorney's amendment to waive the statute. Seconded by Mr. Gedrowicz. Motion carried by Mr. Auwaerter, Dombrosky and Gedrowicz.

CONTINUATION OF HEARING FOR PEARCE AND STANLEY:

Board members present; Mr. Auwaerter, Dombrosky, Gedrowicz and VanSchoick; (marked A-8)

Mr. O'Brien, Attorney put into evidence the revised parking plan. He stated a copy of this was sent to Mr. Donald Newman, Borough Engineer for review.

Put into evidence was a letter from Mr. Newman stating he had reviewed the plan and this was marked A-9. This revised plan was done so as to make a sidewalk and curb as portions of the parking area were on the public right-of-way. Also it was done to save some of the existing trees. Mr. Perera stated there are still 39 parking spaces which is three more than the required 36. He stated that the parking is to be on the property, which makes it the owner's responsibility not the Borough's; it was suggested that marks be put on the sidewalks so that older people who often walk with their heads down would take notice that they are getting near a parking area;

Mr. O'Brien then put into evidence a professional planting schedule and this was marked A-10. This showed additional trees to be put in plus the existing trees they plan to retain. Then put into evidence was the same plan with coloring added and this was marked A-11. This plan showed the existing trees, their make and diameter, showed where new trees were to be put and their make; showed protection to be put around all trees.

Mr. Auwaerter questioned excess to rear of buildings for emergency vehicles; Mr. Perera stated there would be a depressed curb and he would put down a gravel strip with dirt and sod over; Mr. Dombrosky's prime interest was getting in an aerial truck if necessary- no problem seen there according to Mr. Perera.

Mr. Gedrowicz questioned if there was to be a fence around pool- the pool is to be completely enclosed and the x's on the plan represent. Mr. Gedrowicz also questioned land development of other side of creek- told there was possible chance of putting green going in there.

Mr. Dombrosky asked if there was to be a "Rules and Regulations" for satisfied tenants- told there would be by-laws by the Association and management agreement- but these had not been totally completed but could give the Board a rough copy. He was asked to do so.

Mr. O'Brien then made his summation; Reasons for granting this variance were 1- was passed by the Board of Adjustment and Mayor and Council originally; felt it was generally needed for the welfare in Manasquan; 2- Tax revenue- Survey shows that mostly Senior citizens are found in multiple dwelling in Southern Monmouth County so there would be very few children of schoolage; 3- Land not suited for zoned use- this would be a modern building on higher land - no drainage problem with County and Borough Engineer approval- To single property owners this would be a costly hardship- This land ideally suited for multiple family units as there are few tracts remaining for this purpose; quoted "that this request could be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Manasquan"

Mr. O'Brien also stated that his client would waive the 95 day deadline as stated in N.J. statute 40:55-45.

Mr. Auwaerter made the motion the hearing be continued on May 15th and the Board reserve decision until then. Seconded by Mr. VanSchoick-Motion carried by Mr. Auwaerter, Dombrosky, Gedrowicz and VanSchoick.

Meeting adjourned;

Special meeting to be held on May 3, 1974 at 8:00 P.M. Mr. Dombrosky requested an attendance book be kept.

BOARD OF ADJUSTMENT: MAY 15, 1974

Members present: Mr. Auwaerter, Dombrosky, King and Solt. Mr. VanSchoick again disqualified himself on the following case due to conflict of interest. Also present was Mr. Moench, attorney for the Board.

CONTINUATION OF HEARING FOR ARNE ANDERSON: Regaining non-conforming use at 80 Fletcher Avenue-Block 110-Lot 3.

Mr. O'Brien, attorney for Mr. Anderson had Mr. Anderson sworn in and asked him to identify assorted records he showed to him. These were marked into evidence as A-3 and were water and sewer bills from 1963 to 1972 and tax bills covering the same period of time. These showed the assessed value of the house to be from 1963 to 1970 \$14,000 for the buildings and 2900 for land- 1971-72= \$21,400 for buildings and 7,200 for land. Mr. Anderson stated he was not present when a praiser came to assess house but his wife was.

February 13, 1974

BOARD OF ADJUSTMENT HEARING:

Members present; Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick, and Mr. Frederick J. Moench, Attorney for Board.

HEARING FOR LAFAYETTE SIGN CO. for Russell B. Case & Son Buick dealers, Main Street, Blk 64, Lot 1 for erection of one free standing sign and replacement of one that now exists.

Mr. Moench, Attorney for the Board read the resolution by the Board for the Lafayette Sign Co. recommending erection of these signs to the Mayor and Council. The resolution was moved by Mr. Gedrowicz, Seconded by Mr. King. The Motion was passed by the following vote; "yes" Mr. Gedrowicz, King, Solt and VanSchoick. "No" - None. Mr. Auwaerter disqualified himself due to conflict of interest.

Mr. VanSchoick, Chairman for this hearing claimed this hearing closed.
(Continuation)↓

HEARING FOR FREDERICK PAPERTH, 1000 Riverview Drive, Brielle, to erect sign on lawn in front of his professional building located at 28 Union Avenue, Blk 82 Lot 19A/21A.

Members present for hearing- Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick

Members of the Board requested Dr. Paperth bring in more information on how the sign would be constructed such as material, size etc. and also recommended the replacement of the sign to different area.

Dr. Paperth stated he would get the material to the Clerk as soon as possible.

Dr. Paperth also stated he would grant extension of time for the Board since this hearing would go beyond the 90 days.

Mr. Gedrowicz moved this hearing be continued on March 13, 1974 at 8:00 P.M., seconded by Mr. Solt. Motion carried by the following vote; "Yes" Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick.

CONTINUATION OF HEARING MIKE'S AUTO IMPORTS

Mr. Auwaerter disqualified himself for this hearing due to conflict of interest.

Board members asked Mr. DeLisa, manager of Mike's Auto Import to bring more information on construction of sign and also recommended the placement of sign in another area.

Mr. DeLisa stated he would have material to the Clerk by the following Monday.

Mr. Gedrowicz moved this hearing be continued on March 13, 1974 at 8:00 P.M. seconded by Mr. Solt, Motion carried by the following vote; "Yes" Mr. Gedrowicz, Solt, King and VanSchoick.

Hearing adjourned.

Mr. Dombrosky was made chairman of the Board for the year 1974. Motion was made by Mr. Auwaerter, seconded by Mr. Van Schoick. Motion carried by the following vote; "yes", Mr. Dombrosky, Gedrowicz, Solt, King and VanSchoick, and Auwaerter.

Motion was made by Mr. VanSchoick that Mr. Gedrowicz be Secretary for the Board for the year 1974. Seconded by Mr. Auwaerter. Motion carried by the following vote; "Yes" Mr. Auwaerter, Dombrosky, King, Solt, and VanSchoick.

Also to made part of the minutes was the change in the application for a variance in reference to "Filing of affidavit of service." To read as follows;

Affidavit of service and supporting documents enumerated below shall be filed not later than 1:00 P.M. on the second (2nd) day next preceeding hearing date previously given to the applicant.

Affidavit in the form suggested (see Form-3) shall be completed substantially in the form as shown.

Receipts where service is made by registered or certified mail must be attached to the application as an exhibit and be referred to in the affidavit. Receipts for mailing, bearing official postmark of mailing, as well as return receipts MUST be arranged in order to conform with the listing called for below.

Accompanying the affidavit shall be a listing of all property owners within 200 feet. Said listing shall set forth Lot and Block numbers and name of person or persons whose name appears on the most recent tax list of municipality or municipalities. Said list shall be certified by the applicant or his attorney as a true copy of the listing as obtained from the municipal record.

A motion was made to change the reading on the application in reference to the "Affidavit of service" to read as the above, by Mr. VanSchoick, seconded by Mr. Auwaerter. Motion carried by the following vote; "Yes" Mr. Auwaerter, Dombrosky, Gedrowicz, King, Solt, and VanSchoick.

Meeting adjourned.

Respectfully submitted

Diane E. Reynolds
Diane E. Reynolds
Clerk to the Board

C O N T E N T S

<u>Date</u>	<u>Name</u>	<u>Blk</u>	<u>Lots</u>	<u>Page</u>
6-14-67	Angelo Christiano	145	1	1
8-9-67	James Heslen	146	8	2R
2-14-68	Paul & Lucille Birch	67	106-108	3
4-10-68	Ronald W. Brickman	35	22-38B	3R
6-12-68	Helen T. Lindley	68	89B-91A	4
6-12-68	Doris D. Strachan	162	11	4
6-12-68	Anargiros G. Kamaris	35	19	4
8-14-68	Axel B. Carlson	39	1	5
9-11-68	M.J. Parziale	186A	1-425	5R
12-11-68	Beams-Berz	99	7A	6
12-11-68	Beams-Applegate	99	5	6
2-12-69	James N. Height	68	106	6R
2-12-69	J.Clifford Lamb	66	40	7
4-9-69	Daniel J. Hennessy	66	55	7R
5-14-69	John Szabo	142	25-26	8
5-14-69	J.Clifford Lamb	52	51-52	8
12-10-69	Helen Newman	41	7	9
4-8-70	Methodist Church	14	26B	9R
5-13-70	"	"	"	10
5-13-70	Ida Birdsall	167	1-135	10
7-8-70	James T. Zannetti	155	7	10R
9-9-70	R.Scott Buist	62	11	11
12-9-70	Fredk. C. Rimmele	156	1	11R
2-10-71	Jos. P. Schmitt	99	5	12
3-10-71	Clara N. Burt	165	15	12R
*6-9-71	Robert N. Voorhees	39	9-10	14
*5-12-71	Humble Oil	65	120/124	13
7-7-71	Laird & Laird	52	48	15
7-14-71	Lamb & Petruzal	52	49/52	16
11-10-71	Suzanne Dutko	113	6	16R
12-8-71	"	"	"	16R
*3-8-72	Joe Crines, Inc.	52	6-7-55	17R
*1-12-72	Laird & Laird (Sign)	52	48	17

April 12, 1967

A regular meeting of the Board of Adjustment was held in Borough Hall on April 12, 1967 at 7:00 P.M. Those present were William C. Auwaerter, Jr., Lester C. Leming, M. Frank Sherman and Frederick J. Moench. Clois D. Blakeney and James P. Van Schoick, Jr. were absent.

The meeting convened to reorganize. Election of officers was postponed due to the absence of 2 members. Mr. Leming moved, seconded by Mr. Auwaerter that the fee for application for a variance be raised to \$35.00. The vote was unanimous in favor of same.

CHG-
RAISED
35.00

It was decided that in order to initiate an appeal for a variance, the applicant shall receive from the Building Inspector a written record of refusal showing reasons for same, which record shall be in duplicate, one copy being retained for use of the Board of adjustment.

The meeting was adjourned.

Mary A. Van Dorn
Mary A. Van Dorn, Clerk

June 14, 1967

14V1B

CHRISTIANO

The Board of Adjustment met in Borough Hall June 14, 1967 at 8:00 P.M. Those present were Board Members Auwaerter, Blakeney, Leming, Sherman and Van Schoick, and Mr. F.J. Moench, Atty. for the Board.

The Board met to hear the appeal of Mr. Angelo Christiano, owner of Block 145, Lot 1, known as 175 Main St., Manasquan, N.J., to confirm his right to use a garage for repairing and servicing outboard and inboard marine engines.

Mr. Owan B. Pearce, Attorney for Mr. Christiano, introduced Jos. C. Kingdon, 3rd, Court Stenographer.

Mr. Christiano testified to the uninterrupted usage of the garage for business purposes since time of construction. Also requested approval for installation of milk machine on premises. Also testifying for Mr. Christiano was Mr. Lawrence Edwards, a Realtor and Appraiser, and Mrs. Marie Ippolito, 522 Perrin Blvd., a neighbor, and Mr. Mickey Lamo, 428 E. Main St., Manasquan, N.J.

Those objecting to a variance were Mr. Frank A. Spotts, who owns a home directly across from the garage, who was represented by Mr. James Coleman Esq., Asbury Park, N.J. Also Mr. Patrick B. Ulrich who owns a home at 474 Euclid Avenue.

The hearing was adjourned and no decision rendered, to give the Board more time to make a personal inspection. The hearing will be resumed on July 12, 1967 at 7:30 P.M. at which time a decision will be given.

During a recess of above hearing Mr. Sherman was unanimously elected Chairman of the Board and Mr. Leming was unanimously elected Secretary.

OFFICERS ELECTED

Mary A. Van Dorn, Clerk

July 12, 1967

The Board of Adjustment met in Borough Hall July 12, 1967 at 7:15 P.M. Those present were Board Members Auwaerter, Blakeney, Leming, Sherman and Van Schoick, and Mr. F.J. Moench, Atty. for the Board. Mr. Blakeney left just prior to 8:00 P.M.

The continued hearing on the appeal of Mr. Angelo Christiano was opened at 8:00 P.M.

The chairman of the Board read the resolution recommending the granting of the variance to Mayor and Council, under Sub-section D, RS 40:59-39 with a stipulation that it be granted only on condition that repairs be done within the confines of the garage and only during the hours of 8:00 A.M. to 5:00 P.M., excluding Sundays.

*CHRISTIANO
DECISION*

On roll call all members present voted "Yes".

The application to install a milk vending machine was denied, on a unanimous vote.

The hearing was then opened for the appeal of Lawrence J. Newcombe, 27 N. Farragut Ave., Manasquan, N.J., to enclose a porch with jalousie windows.

Mr. Stephen C. Carton, Attorney for Mr. Newcombe, presented certification of service of notice to property owners within limits, and it was found that one owner was omitted.

*NEWCOMBE
DECISION*

After testimony that the porch in its present condition is not usable except in fair weather, that no heat is to be installed, nor any extension of the building line, the Board Chairman announced a resolution granting the variance, with the condition that said resolution be held in abeyance until receipt of a statement from Mr. Aagaard, who was omitted, that he has no objections to same.

The meeting was adjourned.

Mary A. Van Dorn, Clerk

August 9, 1967

14V1B

HESLEN

The Board of Adjustment met in Borough Hall August 9, 1967. Those present were Board Members Auwaerter, Leming and Sherman, and Mr. F.J. Moench, Atty. for the Board. Members Blakeney and Van Schoick were absent.

The Board met to hear the appeal of Mr. James Heslen, owner of Block 146, Lot 8, known as 1 Watson Place, Manasquan, N.J. for a variance from the Zoning Ordinance, to enclose a front porch with awning type windows.

Mr. James DuPlessis, Atty. for Mr. Heslen presented certification of service of notice to property owners, a survey of the property, photos of the premises showing porch to be enclosed and folder showing type of window to be installed.

Mr. Heslen testified that the purpose of enclosure is to prevent weather damage, that the present buildings on both sides of his building extend to front part of his porch structure and that no objections were received from owners in surrounding area.

Two letters were presented from owners in area served, stating they were in favor of the enclosure. Mrs. Anne Jackson, 6 Watson Place was present and stated that she was in favor of the variance being granted.

A resolution was adopted granting the variance requested pursuant to R.S. 40:55-39, Subsection (c), upon condition that it at no future date, be converted to an additional room nor be used as living quarters other than that as a porch, and that the applicant be prohibited from installing heat on the porch at any future date. The votes were "Yes", three. "No", None.

The meeting was adjourned.

Mary A. Van Dorn, Clerk

February 14, 1968

BIRCH

The Board of Adjustment met in Borough Hall February 14, 1968. Those present were Board Members, Auwaerter, Leming, Blakeney, Sherman and Van Schoick, and Mr. Moench, Atty. for the Board. Mr. Leming disqualified himself from the hearing as his property adjoins that in question.

The Board met to hear the appeal of Paul A. & Lucille M. Birch for a variance from the Zoning Ordinance to construct a dwelling on Lots 106 and 108, Block 67, utilizing both lots, one of which presently contains a garage apartment.

Mr. Birch presented certification of service of notice to property owners involved, a survey of property showing proposed location of structure, photo of proposed structure, copy of contract of purchase which is contingent upon obtaining of variance and application fee of \$35.00.

Mr. Birch explained the application and details of the plot plan and stated that they plan to occupy the proposed dwelling.

Mrs. Lester Leming was present and testified that as the adjoining property owner she was in favor of the variance being granted.

A resolution was adopted ^{concerning} ~~granting~~ the variance requested pursuant to R.S.40:55-39, Subsection (d), which recommends to Mayor and Council that the variance be granted upon condition that the dwelling be comparable in size to that sketched on survey shown and that subject premises be considered as a unit of property and that the applicant or any subsequent owner of property be precluded from attempting to obtain a sub-division of same for the purpose of conveying either the existing or the new structure as a separate unit.

The votes were "Yes", four. "No", None. Those not voting, one.

The meeting was adjourned.

Mary A. Van Dorn, Clerk

BRICKMAN

April 10, 1968

14V1B

The Board of Adjustment met in Borough Hall April 10, 1968. Those present were Board Members Auwaerter, Leming and Sherman and Van Schoick. Mr. F.J. Moench, Atty. for the Board was absent due to illness, and in his place Mr. John Connelly was present. Mr. Blakeney was absent.

The Board met to hear the appeal of Ronald W. Brickman, owner of Block 35, Lots 22 & 38B, located at 39 Broad St., Manasquan, N.J. for a variance from the Zoning Ordinance, to operate a Barber Shop in his home at above address, which is zoned R-2.

Mr. Brickman presented certification of service of notice to property owners to the Board.

He testified that when he bought the property it was in use as a Rooming House, that the property adjacent to his on the south is in use as an Antique Shop, that north of his location is the Public Library, the First Aid Home, a Coal Business and a factory. That the opposite side of the street is zoned for Business and contains same plus some industrial use. That the Barber Shop would occupy only the hall portion of his home, that a small sign would be posted by present front door. That no changes would be made in the structure.

Mrs. G. Virtue, 54 Broad St., Manasquan, N.J. stated that she would be opposed to a variance being granted for business use of the entire property. Asked if a variance could be granted conditionally.

A resolution was adopted denying the variance on grounds that the appellant has not presented special reasons whereby the Board may grant a variance under 40:55-39-D.

Mr. Leming abstained from voting or participating in the Hearing as he is a member of the Library Board, said Library being located in the immediate area.

The meeting was adjourned.

Mary A. Van Dorn, Clerk

June 12, 1968

The Board of Adjustment met in Borough Hall, June 12, 1968 at 8:00 P.M. Those present were Board Members Auwaerter, Blakeney, Leming, Sherman and Van Schoick and Mr. F.J. Moench, Attorney for the Board.

The appeal of Helen T. Lindley, 69 Virginia Ave., Block 68, Lots 89B-91A, for a variance to extend a garage 10' was heard. Said garage is at present three feet from the lot line.

Mrs. Lindley presented certification of service of notice and fee of \$35.00. She testified that the extension of the garage along the present line was necessary in order to fit a car in the garage.

No objections regarding the proposed addition were received by the Board.

A resolution was adopted recommending granting of the variance to the Mayor and Council of the Borough of Manasquan under R.S. 40:55-39 (d).

The next appeal heard was that of Doris D. Strachan, for property located at 42 Ocean Avenue, in Block 162, Lot 11, for a variance to add an addition to the rear of the one-story frame dwelling, said addition to be 10 by 24 feet.

Since the property is in a R-2 Zone and since two dwellings are located on the property, the premises constitute a non-conforming use.

Richard A. Maguire, Atty. for appellant, presented certification of service of notice to property owners and fee of \$35.00!

Mr. Raymond P. Dinklage, 204 Phila. Blvd., Sea Girt, N.J. Architect for the appellant, submitted preliminary plans for the addition and a plot survey, and described the work to be done.

Mr. Maurice Schnackenberg, representing Em Em Em Holding Corp., owners of property located at 48-48½ Ocean Avenue, appeared and stated that he had no objections to the variance being granted.

Letters stating they had no objections to the proposed work were received from the following:

Margaret McGrath, 54-54½ Ocean Ave., Manasquan, N.J.
George K. Licht, 59 Ocean Ave., Manasquan, N.J.
Anthony L. Avia, 57 Ocean Ave., Manasquan, N.J.

A resolution was adopted recommending to the Mayor and Council of the Borough of Manasquan granting of the variance under RS 40:55-39-(d).

Anargiros G. & Marilyn G. Kamaris, 25 Broad St., Block 35, Lot 19 appealed for a variance to enclose the south end of the front porch to its full height and to enclose the east end with a 9' picture window on a 30" bulkhead.

Richard A. Maguire, Attorney for appellant presented certification of service of notice to property owners and fee of \$35.00. He described the location of the premises, which adjoins property of Squan Tavern, on the southerly side.

Mr. Charles F. Mohr, 421 Ludlow Ave., Spring Lake, N.J. contractor for Mr. Kamaris, submitted a plot plan and sketch of proposed enclosure, and photos of subject property, adjoining commercial property, and alignment with residential properties to the north.

Mr. Kamaris testified that the enclosed area was to be used as additional living area and playroom for his children. That the proposed solid enclosure of the south end faces his

driveway and the solid wall of the adjoining commercial property. That there is heat in the proposed enclosure, which was there when he purchased the property.

A letter was received from Margaret McGrath, owner of property at 44 Broad St., stating that she has no objection to the enclosure.

A resolution was adopted recommending to the Mayor and Council under RS 40:55-39 (d) that the variance be granted.

Mary A. Van Dorn, Clerk

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Manasquan on this 14th day of August, 1968, that approval of the application of Axel B. & Mary E. Carlson

~~be (denied) (recommended) to the Mayor and Council of the Borough of Manasquan, subject, however, to the following conditions:~~ ^{granted.} under 40:55-39 (c).

Moved by: Mr. Blakeney

Seconded by: Mr. Auwaerter

"Yes": Auwaerter, Blakeney, Leming, Sherman

"No" : None

Absent: Van Schoick

Not voting: Van Schoick

CERTIFICATION

I, Lester Leming, do hereby certify that I am the Secretary of the Zoning Board of Adjustment of the Borough of Manasquan, and that the foregoing resolution is a full, true and complete copy of the resolution adopted by the Zoning Board of Adjustment of the Borough of Manasquan at a meeting thereof held on the 14th day of August, 1968.

Secretary

August 14, 1968

CARLSON

The Board of Adjustment met in Borough Hall, August 14, 1968 at 9:00 P.M. Those present were Board Members Auwaerter, Blakeney, Leming, Sherman and Mr. F.J. Moench, Attorney for the Board. Mr. Van Schoick was absent.

The appeal of Axel B. & Mary E. Carlson, 62 N. Main St. Block 39, Lot 1, for a variance to construct an addition of 16' on rear of existing building in line with present non-conforming building which is less than 5' from side line, was heard.

Mr. Carlson presented certification of service of notice and a survey showing the proposed addition, which will contain a den and laundry room.

No objections regarding the proposed addition were received by the Board.

A resolution was adopted recommending granting of the variance under R.S. 40:55-39 (c).

Mary A. Van Dorn, Clerk

September 11, 1968

14VIB

The Board of Adjustment met in Borough Hall September 11, 1968 at 8:00 P.M. Those present were Mr. Sherman, Mr. Auwaerter, Mr. Van Schoick, Mr. Leming and Atty. Moench.

The appeal of M.J. Parziale, Block 186A, Lot 1-425, 425 First Avenue was heard requesting a variance to construct a canopy to extend outward toward the sidewalk. Also to operate a pin ball machine and Juke box in adjacent garage.

The appeal to construct the canopy was granted by resolution (see folder) on October 9, 1968.

The Board also heard the appeal of Wm.C. & Edna M. Lockwood, 306 Virginia Avenue for a variance to construct a garage on the rear of said property to be situated three feet from the property line.

See resolution in folder.

December 11, 1968

The Board of Adjustment met in Borough Hall December 11, 1968. Those present were Board Members, Auwaerter, Blakeney, Leming, Sherman and Van Schoick. Also Board Attorney Moench.

The appeal of Marjorie Berz and William Beams, option holder on Block 99, Lot 7 A located on Stockton Lake Boulevard was heard, for a variance to construct a dwelling in R-2 Zone on a lot having less than the required 5000 square feet.

No objections were received to the proposed construction. The hearing was adjourned to January 8, 1969 in order for Mr. Beams to present at that time his option and a survey.

On January 8, 1969 the hearing was continued, above items presented and the variance granted as per resolution filed in Case folder.

The appeal of Loretta Applegate and William Beams, option holder on Block 99, Lot 5 located on Stockton Lake Boulevard was also heard, for a variance to construct a dwelling in R-2 Zone on a lot having less than the required 5000 square feet.

No objections were received to the proposed construction. The hearing was adjourned to January 8, 1969 in order for Mr. Beams to present at that time his option and a survey.

On January 8, 1969 the hearing was continued, above items presented and the variance granted as per resolution filed in Case folder.

March 12, 1969

The Board of Adjustment met in Borough Hall March 12, 1969 at 8:00 P.M. Those present were Board Members, Auwaerter, Leming, Van Schoick, Blakeney and Mr. F. J. Moench, Attorney for the Board. Mr. Sherman was absent.

The Hennessey hearing was postponed one month because the lawyer's sec'y did not include the date in the notice of hearing.

11V1B

Hennessey hearing postponed one month because lawyer's sec'y did not include the date in notice of hearing.

All present except Sherman. Meeting held Mzrch 12, 1969 at 7:30
First Hearing-Mr. & Mrs. James N. Height. Served requisite notice
35 Virginia Ave.
and affidavit. Meench checked it out. Affidavit in order. Bk, 68
Lot 105
Mr. Height sworn in. Was not issued a building permit by
Mr. Anderson. Mr. Height wants to internally remodel &
put in an outside stairway. Has a stairnow that goes up
right in the middle of house and the rooms are small. If
he could build an outside stairway he could make the rooms
bigger upstairs and more livable. Structure on lot was found
to be non-comforming use. by Building Insp.
Mr. Lester Leming disqualified himself from this hearing because
he lives within 200 ft and is a neighbor. Board went out to
deliberate. Reconvened. /Bill Auwaerter moved to read the
resolution. Mr. Moench read the resolution. Blakeney seconded.
Recommend to Mayor and Council that it be approved. Vote 3 yeses
No. Noes. Variance granted.
Second Hearing- J. Clifford Lamb. Moench read letter from Mr.
Venino and this was used a official notice etc. Bl. 66 Lot 40.
58Curtis Ave. Moench approved the letter.

Van schoick asked for a resolution. Moench read. Auwaerter
seconded. All yesses no noes. Variance granted. To Council
Mr. Moench is sending a letter to Mr. Beam giving him a 60 day
extension. Motion carried.

Adjourned

Hennessey - hearing ~~posting~~ postponed
1 month.

Sherman absent

3/12/69

7:30

Height Mr & Mrs. ^{sworn in.} served req^{website} notice

avodavit. Moench check it out.

Bl St. ^{building} 68-105 = ^{permitt} - not allowed.

hardship. internally remodel &
put in an outside stairway.

Mr Lester Leming disqualified himself
from this hearing because he is
a neighbor within 200 ft.

Avodavit in order.

Sec 19. Reconvened.

Bill Awwarter Moved - Bladdeney seconded.

to read resolution Moench.
recommends to Mayor's Council that
this be approved. 3 yeses - no no's.

Variance granted.

J Clifford Lamb. Moench read letter
from Mr Lamb ^{layer} Mr Venins. St 40 - 66 - 58 - Curlew.

42 - Moench approved avodavit

~~by~~ 10 ft #

offer. Van Schoeck asked for a

resoul resolution. Moench read

Awwarter seconded all yeses.

Variance granted.

Structure on lot
found to be
non conforming
use. by Bl
prop.

Lawyer letter to Beam giving her
a 60 day extension Motion made

The Board of Adjustment of the Borough of Manasquan is being requested this evening to hear the application of Daniel J. Hennessy, et als, for the erection of a free-standing sign at their gasoline station at the northwest corner of Curtis Avenue and Highway 71 in the Borough of Manasquan.

The Board, prior to entertaining the subject application, makes the following observation which it deems necessary to be made a part of the record in connection with the present application.

The subject premises contained a gasoline station, which gasoline station under the prior and present Zoning Ordinance is a non-conforming use. The present owners, prior to constructing the present structure, demolished a considerable portion of the originally existing station. The non-conforming use aspect of the existing station, the demolition of a goodly portion of the existing station, in the opinion of this Board brings the entire premises within several sections of the existing Zoning Ordinance, to wit: Non-conforming use section, special regulation with respect to the erection of a gasoline station, all of which would require an application for a variance. The application was not made. Therefore, this Board in entertaining the present application, deems, as stated at the outset, it necessary, to have the above information set forth in the record.

DATED: April 9, 1969

M. J. Sheehan
Chairman

William C. Guanter Jr.
Jester Co. Leming

April 9, 1969

18V1B

The Board of Adjustment met in Borough Hall April 9, 1969. Those present were Board Members, Auwaerter, Leming and Sherman, and Mr. F.J. Moench, Attorney for the Board. Mr. Blakeney and Van Schoick were absent.

The Board met to hear the appeal of Daniel J. Hennessy and Daniel J. Hennessy Jr., owners of Block 66, Lot 55, located at the N.W. corner of Curtis and Union Avenues, for a variance to erect a free standing sign in connection with a gas station at this location. The attached statement was read by Chairman.

Mr. Bernard A. Kannen, Attorney for appellants presented rejection of the Building Inspector for the permit and affidavit of service of notice to property owners adjacent to said property.

Mr. Hennessy testified that he is one of the owners of said property which was purchased in November, 1968. That a gas station has been erected, for which a building permit was granted, and the sign requested is to replace a free standing sign which was previously at the location, and has since been removed.

A photo copy of the sign to be erected was submitted showing size to be 8' 2½" x 3' 7", and Mr. Hennessy testified that this is the smallest available through the distributor, that all other gas stations in the municipality have such signs. That said sign would be placed within the safety standards of the Borough on the corner of Union & Curtis Ave, not overhanging any part of the sidewalk.

A plot plan of the property was submitted showing the sign location.

No objections regarding the proposed variance were received.

A resolution was adopted recommending to Mayor and Council that the variance be granted. (Copy of resolution in file.)

The meeting was adjourned.

Mary A. Van Dorn, Clerk

May 14, 1969

The Board of Adjustment met in Borough Hall, May 14, 1969. Those present were Board Members, Auwaerter, Blakeney, Leming, Sherman and Van Schoick, and Mr. F.J. Moench, Attorney for the Board.

The appeal of John Szabo for a variance for property known as Lots 25,26 in Block 142 was withdrawn and said withdrawal was announced by Mr. Sherman.

The appeal of J. Clifford Lamb was heard.

Mr. Richard O. Venino, Attorney for Mr. Lamb stated that the appeal was for a recommendation to Mayor and Council for a use permit for a car washing operation on property known as Lots 51,52 in Block 52, located on Parker Avenue. Mr. Lamb has a Contract to purchase said property.

A Sub-Division map of Capital S.B.I.C., present owners of the property was presented showing the location of the lots. Mr. Lamb testified that he has an option to purchase the adjoining two lots also, for eventual use of all four lots.

A diagram of lots 51-52 was presented showing measurements of 100 x 218 feet, with a proposed 40' x 40' building and proposed entrance and exit lanes.

A rendering of the building which will have automatic car-wash machinery installed inside was presented.

Mr. Lamb testified that an attendant will be present at all times, that the car is washed only and exits immediately, with no drying process. He estimated that 55 cars can be accommodated in one section (110 if 4 lots are used). That he would consent to a stipulation that at no time shall cars stand on Hwy. 71, that this should be made a condition of the use permit. Stated that upon approval construction would start almost immediately.

Construction plans were presented showing detailed drawing of the proposed building. Mr. Lamb testified that there will be no noise from any machinery. That a well for water will be installed - or Borough Water will be used if required. That Borough sewer will be used or any other disposal method Borough may require.

Mr. Lamb presented a Copy of Contract to purchase lots 51-52, dated April 8, 1969 and option to purchase lots 49-50. He stated that the operation will be a sole ownership and proprietary program with Mr. Petrozell. That the hours of operation will be 8A.M. to 8P.M. to start. If change of hours is desired, will make application to Council for same.

A Brochure showing the operation was presented and Mr. Vincent B. Caza, distributor of the machines testified that the machine is not coin-operated but must be operated by an attendant. That the complete wash requires approximately 2 minutes average per car.

A letter from Syndet Products, Inc. concerning the biodegradability of the detergent to be used was presented. Mr. Caza stated that a population of 5000 can support a 1 Bay operation. That the building is an open building.

Mr. Lamb stated that they would agree to have the cars exit in a northerly direction only.

Mr. John Van Gelder, owner of the adjoining property objected to the operation on grounds that it may create a traffic hazard and cause exhaust odors. Requested Board recommend a fence or hedge be erected as buffer along north

side of property.

Mr. Henry Van Gelder and Alice Van Gelder, part owners with Mr. John Van Gelder of the adjoining property also questioned the operation.

Mr. Dennis Cervenka, Parker Ave., Manasquan, asked if cars will be dried, by patrons and was told that the cars will exit immediately after wash and there will be no drying.

Mr. John Van Gelder requested that the entrance lane for the cars be switched to the south side of the property and the building be moved to the north side.

There being no further comments from the audience the Board recessed, after which Mr. Blakeney moved, seconded by Mr. Van Schoick that the meeting be adjourned to June 11, at 8 P.M., for further study and examination of the application.

Mary A. Van Dorn, Clerk

December 10, 1969

The Board of Adjustment met in Borough Hall, December 10, 1969. Those present were Board Members, Auwaerter, Blakeney, Leming, and Sherman. Mr. Van Schoelck was absent. Mr. F.J. Moench, Attorney ;for the Board was present.

The appeal for a variance for property of Mrs. Helen Newman known as Block 41, Lot 7, 15 Newark Avenue was heard. This is for an addition of 7' on the southwesterly side of a dwelling which is non-conforming as it is constructed only 3' from the northeast property line.

Mrs. Newman presented certification of service of notice and fee of \$35.00. Also a sketch of proposed addition which will be a one story and would replace a present entry porch.

There were no objections received regarding the proposed addition.

A resolution was adopted recommending to Mayor and Council that the variance be granted. (Copy of resolution in file.)

The appeal of H. Leroy Schafer, Jr. for property located on Warren Avenue in Block 88, Lot 41, was then heard.

This appeal was for a variance to construct a 20' x 56' cement block lumber shed, 14' in height, in line with present sheds, which are situated on the property line on Warren Avenue.

Mr. Schafer presented certification of service of notice. He stated that the proposed building where it abutted the property line on Warren Avenue would be solid block wall 14' high, and that lumber which is presently stacked to the line would be stored inside, making for a neater appearance. Photos of present sheds were presented.

Mrs. Catherine Driscoll, 29 Euclid Ave., testified that she objected to any more sheds being erected anywhere on the property which she considers a fire hazard.

Mrs. Phyllis Rankin, 222 Main St., testified that she does not object to the building but requests more attention to a clean-up of the property.

Mr. R.C. Thompson, 31 Euclid Ave., stated that a continuous wall on the line was superior to present buildings and would reduce the fire hazard.

A resolution was adopted recommending to Mayor and Council that the variance be granted. (Copy of resolution in file.)

Mary A. Van Dorn, Clerk

April 8, 1970

The Board of Adjustment met in Borough Hall April 8, 1970. Those present were Mr. Auwaerter, Denman, Dombrosky and Van Schoick. Mr. Blakeney and Leming withdrew from the hearing as they are members of the Church seeking a variance.

The appeal of the United Methodist Church of Manasquan for a variance for property known as Block 14, Lot 26B, a vacant lot located on Iroquois Road to be paved and utilized as a parking lot and exit for vehicles on to Iroquois Road, which is located in a R-2 Zone, was heard.

Mr. Richard Maguire, Attorney for the Church presented affidavit of service of notice. Mr. Willard R. Newman, President of the Board of Trustees of the Church, testified that Exhibit A-1 was the site plan of the Church which showed present parking facilities and the proposed parking facility and stated that said plan was prepared by Robert Broadbelt, and dated 3-19-70.

Mr. Newman also testified that exhibits A-2 thru 9 were photos of the church and environs. He explained the general traffic flow as shown on exhibit A-1, the entrance from South Street per Ex. A-3 and 2, and the exit on Church Street per Ex. A-5,6 and 4. He testified that the proposed plan would relieve considerable parking on the streets and traffic congestion on Church Street. Exhibits A-7, 8 and 9 were explained as being views of the proposed parking lot in its present condition.

On questions by the Board members, Mr. Newman testified that no final decision has been arrived at regarding a parking plan for the proposed lot, that it would not be used as an entrance but as an exit only, that very little use of the lot was anticipated other than Sundays A.M, that occasional night meetings were held which he would estimate as four to six a year. That there were no plans to landscape the lot at present.

Mr. Richard E. Lent of 15 Iroquois Road testified that he objected to a parking lot being installed in a residential area, that the lot is directly opposite his house, and that the present lot is now used 3 or 4 times weekly. Exhibits 0-1, 2 and 3 were introduced being photos taken by Mr. Lent of the lot at the present time.

Mr. Warren J. Mulhall, 16 Iroquois Road testified that he objected to the violation, that his house is adjacent to the proposed lot and that an entrance or exit on Iroquois Rd. would create a hazard as it would allow direct traffic flow from South Street.

Mr. Harry L. Shaw, 24 Iroquois Road also objected to the granting of the variance. Also objecting was Mr. Wm.C. Bolderman, 20 Iroquois Road. Also Mr. Shaw stated the Church should submit a plan as to the layout of the proposed parking lot.

After a short recess the Chairman of the Board announced that the hearing would be adjourned to May 13, 1970, at which time it was requested that a detailed plan of the proposed lot be submitted showing proposed method of parking and possible landscaping.

May 13, 1970

On May 13, 1970 the hearing was continued for a Variance for the United Methodist Church on Block 14, Lot 26B, Iroquois Road.

Members present were Mr. Auwaerter, Denman, Dombrosky and Van Schoick.

Mr. Richard Maguire, Attorney for the Church, presented plans outlining the proposed parking spaces, which were marked Exhibit A-10, which plan also showed proposed landscaping.

Those testifying in opposition of the proposed variance were Mr. Richard Lent and Mr. Warren Mulhall.

After a recess Mr. Auwaerter moved, seconded by Mr. Denman that a resolution be read denying the variance. (See copy in file).

The Board then proceeded with a hearing for Ida Birdsall for a variance to rebuild and modernize a structure located at 135 Beachfront, in Block 167, Lot 1-135.

Miss Birdsall and Mr. Chester Morgan, as her aide presented proof of service of notice and testimony was heard that the owner wished to improve and change the elevation of the building at above address, using the present footings. Exhibits A-1 and 2 being photos of the present building were presented; and A-3, the proposed plan of reconstruction.

Three letters received by the Board approving the proposal were marked exhibits A-4, 5 and 6 and were from Mr. Liguori, Mr. Gruber and Mr. Sheeran, property owners in the area.

Mr. John Connolly, Atty. substituting for Mr. Moench as Atty. for the Board stated that proof of service was incomplete inasmuch as American Timber Co., owner of the leased land on which the building is located was not served with notice of the hearing.

After a short recess Mr. Dombrosky moved, seconded by Mr. Auwaerter that a resolution be adopted granting the Variance, subject, however to the following conditions: that all existing Building Code requirements be met since she is adding a second story to an existing one story building and

Be it resolved, that a Building permit be withheld until receipt of waiver of notice from American Timber Co. to the Secretary of the Board of Adjustment, and a statement setting forth that it has no objections.

See copy of resolution in file.

July 8, 1970

The Board of Adjustment met in Borough Hall July 8, 1970. Those present were Mr. Denman, Dombrosky, Leming and Van Schoick. Mr. Auwaerter and Blakeney were absent.

The appeal heard was that of James T. & Anna Zanetti, for a variance to erect a one family residential dwelling in a R-3 Zone, on a lot having a frontage of 35 feet only, on premises located at Pearce Court and known as Block 155, Lot 7 on the Tax Map of the Borough of Manasquan.

Mr. Richard Maguire, Attorney for Mr. Zanetti, presented proof of service of notice. Mr. Zanetti testified that he is the owner of Lots 7 and 8, there being a house on lot 8.

A sub-division granted by the Planning Board, subject to a variance, was presented and marked A-1. Photos showing the street, house and vacant lot, and properties adjacent to Mr. Zanetti were presented and marked exhibits A-2 through A-8.

Mr. Zanetti testified he plans to build a house on the vacant lot 7 for his son, and presented the plot plan and layout of the house which was marked exhibit A-9. Testimony was given that there are only 2 vacant lots on the East side of Pearce Court, none on the West side and all are built on 33' lots. It was shown that the lot in question contains 3815 square feet, more than is needed for Zone R-3, and that the set back would be 25 feet.

Mrs. Frida Proff who resides beside the vacant lot, on lot #6, testified that she has no objection to the proposed plan.

Albert Holloway, owner of property in the vicinity stated that he feels the variance should be granted.

Mr. Leming moved the resolution which on roll call showed the following vote: "Yes", Mr. Denman, Dombrosky, Leming and Van Schoick. "No", None.

See copy of resolution in file.

14VIB

September 9, 1970

The Board of Adjustment met in Borough Hall September 9, 1970. Present at the meeting were Mr. Auwaerter, Dombrosky, Leming and Van Schoick. Absent were Mr. Denman and Blakeney.

The appeal heard was that of R. Scott Buist, for permission to convert the second floor area in the front building of premises located at 37 Taylor Avenue, to an additional apartment, there presently being two apartments on the first floor of said premises, which are designated as Block 62, Lot 11 on the Tax Map of the Borough of Manasquan and are located in a B-1 Zone.

Mr. Buist presented affidavit of service and \$35.00 filing fee. He stated that by making the present four bedrooms of the second floor into a four room apartment there would be no structural changes. That the downstairs entrance at the rear which presently services the first floor two apartments would also serve the proposed second floor apartment. He stated that if required a fire ladder would be installed as another exit, also in the rear of the building.

Mr. Buist presented a contract to buy the property from the present owner, Mrs. Upton, which stated that the sale was conditioned on approval of a variance for the apartment. He pointed out that an apartment serving one family would be preferable to four bedrooms possibly being rented to 8 people.

Mr. Thomas Mariner, Jr. owner of 32 Taylor Avenue questioned Mr. Buist and stated that he was not in favor of same, as three apartments in such a small area was unsafe.

After a short recess Mr. Auwaerter moved the resolution which was seconded by Mr. Van Schoick. On roll call the vote was unanimous that the application be denied.

See resolution in file.

December 9, 1970

The Board of Adjustment met in Borough Hall December 9, 1970. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. Mr. Blakeney was absent.

Frederick C. Rimmele, Ocean Avenue, Manasquan, appealed for a variance from the Zoning Ordinance to erect a one family dwelling on a lot having a frontage of 63 feet on Ocean Avenue and 33 feet more or less in depth, said property being known as Block 156, Lot 1 on the Tax Map of the Borough of Manasquan.

Mr. Brian T. Kennedy, Attorney for Mr. Rimmele, presented certification of service of notice to adjoining property owners.

He atated that the original dwelling on this lot was destroyed by fire in May of 1970 and that there was no adjacent land available to make the lot conforming to the Zoning Ordinance. That the plans for the proposed dwelling would not be detrimental to the public good.

The following exhibits were presented to the Board:

- A-1 Plot plan of proposed building.
- A-2 Architect's plan sketch.
- A-3 Survey of original dwelling.
- A-4 Comparison
- A-5 Artist redition of proposed dwelling.
- A-6 Denial of permit by Building Inspector.

Mr. Peter Simonson of 83 Ocean Avenue appeared and requested approval of the application stating that applicant's former dwelling was always kept in excellent repair and was an asset to the neighborhood.

No objections were received regarding the proposed construction.

The Chairman announced the resolution which on roll call showed the following vote: "Yes", Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. "No", None.

See resolution in file..

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

STUART R. HANCOCK, Mayor
V. MILLER PRESTON, Clerk

February 10, 1971

Mr. Joseph P. Schmitt

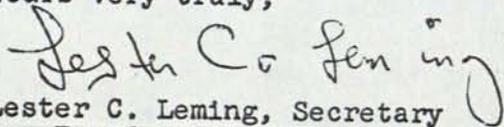
Re: Lot 5, Block 99, Tax Map Borough of Manasquan
Stockton Lake Boulevard

Dear Mr. Schmitt:

At a special meeting held on February 10, 1971, the Board of Adjustment considered your request made through your Attorney, John F. Connally, Jr., Esq. and builder, Mr. William F. Beams, wherein a request was made to extend the variance granted by the Board of Adjustment pursuant to R.S. 40:55-39.

Please be advised that the extension requested has been approved by the Board of Adjustment, it being understood that the application for said Building Permit be made forthwith.

Yours very truly,


Lester C. Leming, Secretary
Board of Adjustment

LCL/v

February 10, 1971

The Board of Adjustment met in Borough Hall February 10, 1971. Members present were Mr. Denman, Dombrosky, Leming and Van Schoick.

John F. Connally, Jr., Esq., Attorney for Joseph P. Schmitt requested an extension of the variance previously granted to William F. Beams, former owner, for Lot 5, Block 99, located on Stockton Lake Boulevard.

A sketch of the proposed building was presented along with a plot plan.

After discussion the Board approved the extension as per attached letter.

March 10, 1971

The Board of Adjustment met in Borough Hall March 10, 1971. Members present were Mr. Auwaerter, Denman, Dombrosky and Leming. Mr. Van Schoick and Mr. Blakeney were absent.

Clara N. Burt, Block 165, Lot 15, applied for a variance from the Zoning Ordinance to sub-divide a lot, which sub-division would create a non-conformance of the building lines.

Mr. Richard Maguire, Atty. for Mrs. Burt presented certification of service of notice to adjoining property owners.

Mr. John Burt, son of Mrs. Burt and who has Power of Attorney for her, testified that the sale of the property is necessary due to the fact that said property is the only income of his mother and must be sold to meet her expenses. That it has been on the market for a year as one lot and could not be sold. That there are now purchasers for each of the sub-divided lots.

A sub-division map, approved and classified as a minor sub-division by the Planning Board and Mayor and Council, subject to approval of the Board of Adjustment was presented and marked exhibit P-1.

Mr. Burt testified that the property had been rented for the past 4 or 5 years but provided insufficient funds to provide for proper maintenance of the homes. The Board questioned the area along the northerly and southerly lines of the property with regards to ingress and egress for fire and police protection.

Mr. Chase P. Withrow, 541 E. Main St., a Realtor, testified that he had negotiated one of the contracts of sale and introduced photos of the property taken 2 weeks ago, which were marked exhibit P-2. Photos show general appearance of the street and construction of buildings in question and spacing of same to be in accordance with most in the area. Mr. Burt stated that all four houses have two entrances; front and back.

Mr. John Dowling testified that he has contracted to purchase 44 First Ave. and 45 Beachfront and will use the houses for family and members of the family occupancy. That he will improve the steps and porches and make other necessary repairs but does not intend to demolish and rebuild or change in any other way the structures. That the purchase is not as an investment, but for personal use only.

Letters were received from Harold C. Weltner and Robt. G. Williamson, adjoining property owners, recommending that the variance be granted. Mr. John J. Burke, 4 Stockton Ave., stated that he is in accord with the situation and asked for a decision in favor of the variance.

Mr. Maguire summarized that the R-4 Zone requires a 30' frontage and 4000 square feet, that both properties are in excess of the square footage requirement. That there are 34 lots under separate ownership in this R-4 Zone, most of which are non-conforming and that the Zoning Ordinance permits 2 dwellings on a lot.

There were no objections received regarding the proposed variance.

The Chairman announced the resolution which on roll call showed the following vote: "Yes", Mr. Auwaerter, Denman, Dombrosky and Leming. "No", None.

The Board resolved that the approval of the application be recommended to Mayor and Council subject to a condition that a 3' easement be created along the sub-division line between the existing buildings.

See resolution in file.

1071B

May 12, 1971

The Board of Adjustment met in Borough Hall May 12, 1971. Members present were Mr. Auwaerter, Dombrosky, Leming and Van Schoick. Mr. Blakeney was absent.

A variance was requested by Humble Oil and Refining Co. for property owned by Richard E. & Dorothea Sharpe, Block 65, Lot 120, Service Oil Co., Block 65, Lot 121, Ruben & Thelma Segall, Block 65, Lot 122 and Geo.R. & Tosca Dempsey, Block 65, Lot 123-124, to construct a gasoline service station and to erect a free-standing sign near the southwest corner of Rt. 71 and Main St., and to construct two signs flat against the said station.

A court reporter was sworn and Owen B. Pearce, Attorney for Humble Oil Co. presented proof of service. A copy of notice sent on May 10 showing time changed from 7:30 to 8:00 PM. was presented and marked exhibit A-1.

Denial by the Building Inspector of a permit for said construction was presented as exhibit A-2.

Mr. Pearce described the proposed construction. Mr. George D. Sincox, Real Estate representative of Humble Oil Co. was sworn and testified that the results of a survey made by him were the reasons for the choice of said site; plus a study of the traffic patterns and flow. That he negotiated the sale of property involved, that the gross cost of same is \$254,000. That Humble Oil holds options contingent on granting of the variance. That the station presently owned by Humble Oil Co., located one block south on Union Avenue will be closed as a gasoline station, will be for sale, and said sale will contain restrictions so that no service station can be located at said site.

Exhibits A3 through A9, being photos of the proposed site, taken under Mr. Sincox's supervision, were admitted into evidence. He also testified that no new or used car sales would be conducted, nor heavy repairs made from the proposed station. That the construction cost of the proposed building will be \$50,000. A plot plan was presented and marked A-10.

Mr. Richard Grant was sworn and testified that he is an Engineer for Humble Oil and that he prepared the plot plan.

A rendering of the proposed station was introduced and marked exhibit A-11. Two pages of the plans and specifications showing the modular sign was introduced and marked A-12. Plans and specifications for the center mounted pole sign was introduced and marked A-13.

Mr. Grant testified as to the material to be used in construction, the location of the pump islands, the driveways, landscaping, etc. That the only services required from the Borough would be water and sewer, Fire and Police protection and garbage removal. That the storage tanks would be installed underground and are a very low fire risk.

Mr. John D. Wooley, Attorney for the Borough of Manasquan asked whether Union Avenue would be widened 6' as indicated on the plan and was informed that the station arrangement would allow for the future widening by the State Highway Dept.

Munroe C. Hawes, Jr. was sworn and testified as to the fire ratings etc.

Mr. Robert A. Nelson, Traffic Engineer for Humble Oil Co. testified as to traffic conditions in the area of the site. That the design of the entrances and exits and parking facilities meets the requirements of the Dept. of Transportation criteria and in most cases exceeds said requirements. That the proposed removal of buildings to be acquired will add to the traffic safety and sight distance. That the proposed entrances and exits would be safer for children to traverse than the present ones due to increased sight distance.

William E. Roach, Jr., a City Planner, was sworn and stated that he has reviewed the Zoning Ordinance of the Borough of Manasquan and that in his opinion it would be more desirable to utilize the site as proposed, that the removal of two commercial buildings will provide more open space, that traffic would not be increased, that the site is particularly suited to this type facility and would not be detrimental.

Harry W. Bergh, Real Estate Appraiser and Broker, was sworn and testified that he has examined the property in question and that the proposed construction compliments Squan Plaza and offers possibility of more usage of Squan Plaza to business without affecting surrounding properties value.

To a question of Chester Morgan as to any planned usages of the more than usual area proposed for the station, Mr. Sincox replied that the plans called only for a gas station at present. That the proposed station will be leased. To a question of Mrs. Van Sickle, Mr. Sincox stated that the large investment in a better location would guarantee that the station will not be closed or abandoned, that should the lease fail, the company will operate directly.

Sgt. Whitehead of the Manasquan Police Department was sworn and testified that traffic signals may be installed at Squan Plaza and Hwy. 71, when said Hwy. is widened and that the proposed station will increase traffic in the area. That installation of curbs and sidewalks is planned for the Plaza which will reduce the present width, and suggested that Humble plan to increase the width of same by 10 or 12 feet to minimize the hazards in the area.

Mr. John D. Wooley stated he had been directed by the Mayor and Council that there were no objections to the general plan provided the existing Esso Station be eliminated, that traffic hazards should be eliminated by rounding the northerly corner of the Plaza intersection and by widening the Plaza 10 to 12 feet for the area of the proposed site.

After a recess the Board reconvened and a roll call showed all original members present. The Chairman announced the Board would recess the meeting to June 9, 1971, to give further study to the proposal.

June 9, 1971

At the continued hearing for the above Board members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. The court reporter was sworn.

As there were no further comments the following resolution was offered and seconded to recommend to Mayor and Council that the variance be granted.

See copy of resolution attached.

RESOLUTION

WHEREAS Humble Oil and Refining Company, hereinafter referred to as "Humble", has applied to the Board of Adjustment of the Borough of Manasquan for permission to erect a new "Esso" gasoline service station on the premises located at the south-east corner of Main Street and Union Avenue (Route 71), Borough of Manasquan, subject to the granting of certain variances and approval of the erection of said station, pursuant to the provisions of the zoning Ordinance of the Borough of Manasquan, said premises being more specifically known as Lots 120 through 124, inclusive, Block 65 on the Tax Map of the Borough of Manasquan, which premises are in B-1 - Business zone; and

WHEREAS, the Board, after carefully considering the evidence presented by appellant and of the adjoining property owners and general public, has made the following factual findings:

That Humble has acquired options, subject to the granting of a variance, to purchase the five aforementioned lots in Block 65 from their present owners, and to demolish the existing structures comprising the BP station, the Sharp Building and the Squan Furniture Building, and to erect, on the northerly portion of the property, a new Esso Service Station, which is to be a brick masonry structure accommodating three service bays and three pump islands, with landscaping and shrubbery, all of which are to be in keeping with the aesthetics of an up-to-date, modern service station facility, and that the construction of the building, as well as the facilities, comply and in most instances exceed the standards required by the National Fire Underwriters Code.

That the access for traffic, both ingress and egress, will be by driveway openings in conformity with requisite traffic engineering practice and, in all respects, comply with the standards required by the New Jersey Department of Transportation (State Highway Department), and which will not only control the speed of vehicles entering and leaving the station, but also afford greater safety to pedestrians, particularly schoolchildren.

That the proposed location of the building, the underground storage tanks, have been so engineered and will be installed in such a manner as to present a minimum of hazard with respect to fire.

That the removal of the existing buildings and the proposed location of the new service station will give greater sight distance at the intersection for vehicular traffic on both Main Street and Union Avenue.

That the proposed free-standing sign, which will be an "Esso Oval", located at the northeast corner of the service station area, will be of sufficient height to permit motorists to make a proper determination, should they wish to enter the station, at a greater sight distance, thereby avoiding traffic hazard and abrupt determination for ingress and egress to the station, and that said sign will not rotate and will not have any flashing lights.

That each pump island shall have its own covered lights and that floodlights to light the station area will be focused only on the station property and will not spill over into the streets or the adjoining properties.

That Zone B-1 specifically permits the erection of a gasoline service station, with special regularizations thereunder, coming within the purview of the Board of Adjustment; that the proposed station will, in fact, be replacing an existing station within 500 feet of the grammar school and municipal building; that the granting of the present application will not change the existing conditions with respect to the location of a service station with relation to the aforementioned public facilities.

That the 1000 ft. requirement as to distance between service stations will not, in fact, be violated by reason of the existence of the present BP Station, which the applicant intends to replace.

That the applicant does propose, and has given a letter of intent, to close the present Esso station located at the northeast corner of Union and Curtis Avenues; that the closing of said station will reduce the number of service stations in the Borough by one.

That the specific location will afford maximum use to the motoring public; that Humble's expert planner indicated the proposed station will not tend to intensify or generate traffic, but that the engineering expertise, which has been applied to the proposed plan, will lead to more favorable ingress and egress and tend to lessen congestion in the street areas adjoining the location.

That, in the operation of the proposed facility, the applicant will, in all probability, operate the station on a dealer-lessee basis, and in the event ^{the} arrangement with a dealer does not prove successful, the applicant then would operate said station on a direct basis, i.e., such operation being by Humble himself; that because of the proposed investment, Humble would not abandon the station nor cause it to fall into disuse, and

WHEREAS the Board has determined that the relief requested by the applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Manasquan;

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Manasquan on the 9th day of June, 1971, that the variances from the Zoning Ordinance, specifically from the provisions of Article XI, Section 81 (2b) (Gasoline service stations located within 500 feet of school and municipal building), from the provisions of Section 81 (4) under said Article, (1000 feet distance between existing gasoline stations), and from the provisions of Article XVIII, Section 97 (1) (Erection of free-standing sign and more than one sign on face of building), in accordance with R.S. 40:55-39 (d), be recommended to the Mayor and Council of the Borough of Manasquan, subject, however, to the following conditions:

1. The applicant, in going forward with its construction, amend its plan and reserve therein a portion of land, not less than ten feet in width, immediately adjoining the northerly side of Old Squan Plaza, and extending throughout the entire length of the applicant's property, said reservation being for the purpose of widening Old Squan Plaza at a subsequent date.

2. The applicant construct sidewalks to the north of the reserved section for street widening, as called for in item 1 above, same extending from Union Avenue to the westerly line of the applicant's property.

3. All parking of vehicles in the applicant's service station area shall be limited to those parking spots delineated on the plan as presented to the Board of Adjustment.

4. No disabled, derelict or inoperative vehicles are to be parked or stored on the premises at any time, nor are any new or used vehicles to be parked or stored on the property for purposes of reselling same.

5. All trash, refuse, disposable debris, including, but not limited to, used or discarded tires, shall be stored at all times in an enclosed area.

6. Upon the sale of the premises presently owned by the applicant, same being located at the northeast corner of Union and Curtis Avenues, a deed restriction be set forth in the Deed, prohibiting the use of said facility as a service station operation, same being in accordance with the letter of intent submitted by Humble under date of May 13, 1971.

BE IT FURTHER RESOLVED that the Board of Adjustment does approve the erection of said service station facility as a special exception, pursuant to Article XI, Section 21 (1), in accordance with R.S. 40:55-39 (b).

Moved by: Mr. Auwaerter
Seconded by: Mr. Dombrösky
"Yes": Mr. Auwaerter, Dombrosky, Leming & Van Schoick
"No": None
Absent: Mr. Blakeney
Not voting: Mr. Denman

CERTIFICATION

I, Lester C. Leming, do hereby certify that I am the Secretary of the Zoning Board of Adjustment of the Borough of Manasquan, and that the foregoing resolution is a full, true and complete copy of the resolution adopted by the Zoning Board of Adjustment of the Borough of Manasquan at a meeting thereof held on the 9th day of June, 1971.

Lester C. Leming
Secretary

June 9, 1971

The Board of Adjustment met in Borough Hall June 9, 1971. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. Mr. Blakeney was absent.

Robert M. & Florence Voorhees requested a variance to permit usage of premises located at 42 North Main St., Block 39, Lots 9-10, as a two family dwelling.

Mr. Robert Voorhees was sworn and testified that the property is owned by him and his mother; that prior to Nov. 6, 1967 it was owned by his mother and his father, who at that time obtained a building permit to remove the rear portion of the house and add a two story addition with $1\frac{1}{2}$ baths and separate stairway for making the premises a two family dwelling. That the work was incomplete for a period of time due to marital problems and when same were resolved Mr. Voorhees bought his father's interest in the property.

A copy of a resolution by Mayor and Council condemning the house was introduced and marked exhibit A-1. Exhibits A-2 and 3 being pictures taken by Mr. Voorhees before the repairs and remodeling were introduced. Mr. Voorhees testified that he undertook improvements after taking title by re-siding the outside, continuing to finish inside and rebuilding the interior of the old section. That the dwelling has two separate stairways. That the outside improvements cost in excess of \$3500. and the total expenditures for improvements to date were \$22,000. A total of 12 photos taken by Mr. Voorhees showing the improvements were introduced and marked exhibits A-4 thru 15. Mr. Voorhees testified that the variance request for use as a two family dwelling is due to fact that premises consists of two houses in one, with separate entrances, stairs, baths etc. That there is a total of 5 bedrooms, 2 kitchens, large dining, 1 living room in each portion. That one side has 3 bedrooms, $1\frac{1}{2}$ baths, the other 2 bedrooms and 1 bath. That his mother, Mrs. Voorhees resides in the rear apartment on the lot and will continue to do so.

Exhibit A-16 was introduced, being sheet #7 of the Official Tax Map of the Borough of Manasquan. Mr. Voorhees testified that the surrounding area contained a two-family house located across the street, one 3 houses north of the premises in question, one on the corner of Osborn and Elizabeth Avenue and one directly to the rear of the property in question, none on lots as large as his. That directly down the street there is a dwelling used as a nursing home. Sheet #5 of the Tax Map was presented to show the size of the lots in the area. Mr. Voorhees testified that the property was originally purchased in 1955 at which time the prior zoning ordinance allowed two-family dwellings. That he made no changes to the interior which was started at that time by his father, only improvements on same. That the intention is to rent two sides of the house, that the apartments are side by side; that each is a two story apartment.

Mr. William Miller, 106 Broad Street, Manasquan, an electrician was sworn and testified that he helped Mr. Voorhees, Sr. with the electrical work on the house prior to Nov. 6, 1967. That the circuits were laid out for a 2 family residence. That he has since done further work for the present owners, that the dwelling is separately wired in two sections and is definitely suited to a two-family house.

Mrs. Bridgette Rydinsky, 51 N. Main St., Manasquan, was sworn and testified that she resides diagonally across the street from the Voorhees house; that she is in favor of the variance being granted; that the present dwelling is an improvement to the neighborhood and that Mr. Voorhees resides in the garage apartment at the rear of the property.

A letter was received from Helen M. Height, 57 Osborn Ave., Manasquan, approving the proposed variance and was marked A-17. Mr. Charles Mount appeared and stated he had interviewed the neighbors in the vicinity, all of whom were in favor of using the house as a two-family residence, including Freeholder Carlson whose home is just down the street. Mr. Robert S. Wood, 54 N. Main

St., Manasquan, stated he is in favor of the variance being granted.

Mr. Raymond Anderson, 50 N.Main St., Manasquan, stated that his mother's property adjoins the subject property and that they are against the proposed variance. That it would involve usage by three families of the driveway which abuts that of his mother's, that N. Main Street allows parking on only one side of the street and additional traffic would result. That they have had problems with the driveway heretofore.

Mr. Mount stated there should be no problem of parking as there is a cut-out in the rear of the house where at least 6 cars can be parked.

Mr. Voorhees testified that the permit for the present work was obtained in November, 1970 to complete renovation. That he plans to widen the driveway and install solid concrete curbing. That additional width will be added to prevent any possibility of encroachment.

After a short recess the Board reconvened and a roll call showed all original members present. A resolution denying the variance was introduced and read and on roll call showed the following vote. "Yes", Mr. Auwaerter, Denman, Dombrosky, Leming, and Van Schoick. "No", None.

See resolution in file.

The next application for a variance was presented by David J. Laird & Robert F. Laird, Contract purchasers of Lot 48, Block 52, owned by B.H.C. Associates Corp., for a variance to construct an automatic automobile cleaning station.

Due to the lateness of the hour (9:30PM), and the fact that Mr. Dombrosky can attend only to 10: PM, it was decided to adjourn the hearing to a tentative date of July 7, 1971, subject to confirmation of the Board. Time to be held, 7:30 PM.

July 7, 1971

The Board of Adjustment met in Borough Hall July 7, 1971. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. Mr. Blakeney was absent.

The application of David J. Laird and Robert F. Laird for a variance to construct an automatic automobile cleaning station was continued. Mr. O.B. Pearce was present as attorney for the applicants.

Mr. Richard O. Venino, Attorney for adjoining owners to the north of subject property, offered an objection to the hearing, stating that the previous meeting had been adjourned without a motion of the Board, that no notice of the adjourned date had been served on adjacent property owners and therefore, in his opinion, the Board has no jurisdiction to hear the appeal.

Mr. O.B. Pearce stated that the discussion as to an adjournment date was held withall present; that possible dates were discussed and the date of July 7, 1971 was most agreeable to all concerned; that Mr. Venino, when questioned at that time stated he would be available July 7; that the Board acted unanimously in adjourning to the present date, with full knowledge of all present, with no jeopardy to any one interested.

The Chairman stated that the meeting would proceed.

A professional reporter was sworn.

Notice of service to surrounding owners was presented.

A denial of Building Permit by the Building Inspector was presented and marked exhibit A-1. Exhibit A-2, being a copy of contingent contract of sale of lot 48, Block 52, from B.H.C. Assoc., Inc. was introduced. Also submitted was exhibit A-3, being a survey plan showing sub-division map prepared by Wilson & Hopkins, showing lot 48.

Mr. David J. Laird, Jr. testified as to the Contract of Sale; that they have contracted to purchase equipment for the car washing installation and have retained an architect to plan the building to the manufacturer's specifications.

Exhibit A-4, being plans prepared by Mr. Raymond Dinkledge, showing site plan, traffic lanes, building location, elevations, floor plan, etc. was presented, along with exhibit A-5 which is a rendering showing appearance of the proposed building.

Mr. Laird testified that he and his brother, Robert F. Laird, will manage the business on a full time basis under their personal supervision; that the operation will be a complete exterior wash, no outside operation; that attendants will be employed only to take money, make change and direct traffic; that driver will stay in the car at all times; that there will be no cleaning of the inside of car at present time, no gas sold; that if permit is granted construction will be undertaken within 60 days.

On a question of Mr. Venino, Mr. Laird testified that they had made factual studies on how cars can turn on the 180° curve, on a 50' width by actual tests with various large cars and had the advice of engineers, etc.

Regarding the 1' rather 3' distance to the northerly property line, Mr. Pearce stated the Ordinance waives side-line requirements in case of fireproof construction, which the proposed building has been classified as by the Building Inspector.

Mr. Laird stated that it was possible for 3 cars to be

inside the building being washed at the same time, that it was a conveyor system which can be regulated to wash 60 cars, 100 or 150, per hour; that the maximum number of cars in complete driveway would be 32 cars, including exit area.

Lawrence E. Edwards, Realtor and Appraiser testified that he has examined the property in question and the adjacent neighborhood and that a car wash would not have adverse effect on adjoining property values.

Exhibit A-6 was submitted, being a plan of proposed machinery layout, site plan and installation of equipment layout of Hanna Pacesetter #100 model.

Mr. John Criscuolo testified that he is manager for A.E. Styles Mfg. Co., distributor of car wash equipment and explained in detail exhibit A-6; that he has previously installed the system on a 50' lot adjacent to a heavily travelled street; that the feasibility of any site is fully investigated before a sale; that the estimate at a peak hour would be 60 cars washed per hour, 1 car exiting per minute; that the system required no inflammable substances on the property; that in his opinion the exit ramp is ideally adequate.

Mr. Laird stated that if requested they can supply water by well, install a sewage disposal plan, supply traffic supervision at entrances and exits and install Right-turn signs. That it will be a 12 month operation, will conform to the Code on signs; that there will be no water outside to cause an ice hazard in winter.

Mr. Venino stated that he felt before deciding present application, the Board should consider the re-application for a previously approved variance for a car wash on lots 49 thru 52, of Lamb & Petruzel, which variance has expired due to financial problems causing inability to construct within 1 year, and presented exhibit O-1, building permit dated 1969, issued to Lamb & Petruzel.

After a recess, a resolution was moved and passed that the use permit ~~be~~ granted.

See copy of resolution in file.

July 14, 1971

The Board of Adjustment met in Borough Hall July 14, 1971. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick. Mr. Blakeney was absent.

The application of J. Clifford Lamb and William Petruzel for a re-issuance of a use-permit to construct and operate an automatic automobile cleaning station on property known as Block 52, Lots 49-50-51-52, located on Hwy. #71.

Mr. Richard Venino appeared as Attorney for Lamb & Petruzel

Mr. Lawrence Kantor appeared as Attorney for the objectors, Laird and Laird.

Mr. Venino presented the following exhibits which were marked as follows:

- A-1 Survey of property.
- A-2 Plot Plan - 4 lots and proposed location of building.
- A-3 Rendering of proposed building.
- A-4 Construction plans, including plot plan.
- A-5A Deed dated 9/11/69 for lots 41 and 52, Block 52.
- A-5B Deed dated 7/8/70 for lots 49 and 50, Block 52.
- A-6 Milton Brushmatic brochure on equipment.
- A-7 Letter from manufacturer of detergent to be used, regarding biodegradability.
- A-8 Brochure on waste water reclamation and treatment system.
- A-9 Photo copy of resolution of prior hearing, certified 6/11/69.
- A-10 Building permit for original construction.

J. Clifford Lamb was sworn and testified that he and his partner are the owners of above lots which are 200' front by 220' depth. That previous application for the variance had been granted by the Board of Adjustment and Mayor and Council. That a Building Permit for same had been obtained but construction not undertaken due to economics. That they were not aware of the one year time limit until 6 weeks ago when they had re-applied for the building permit which was denied. Mr. Lamb testified to exhibits A-1 thru A-5B in detail.

Mr. Venino stated that as the Board of Adjustment has recommended a Use-Permit on adjoining property for a car-wash operation, appellant therefore would stipulate that it would be uneconomical and detrimental to the intent and purpose of the Zoning Plan to have two car wash operations.

Mr. John F. Sharrock, a representative of the Car-Wash equipment testified in detail to exhibits A-6 thru A-10. Also that the noise would not be offensive, that the equipment was contained inside the building which would be of cinder block construction.

Exhibit A-7 was objected to by Mr. Kantor and omitted from the hearing.

After a summation by Mr. Venino and Mr. Kantor, the Board recessed.

The Board reconvened and roll call showed all members present except Mr. Blakeney. A resolution was moved, read and passed denying the variance.

See copy of resolution in file.

The consensus of opinion of members present was that a quorum would not be available for the month of August.

November 10, 1971

The Board of Adjustment met in Borough Hall November 10, 1971. Members present were Mr. Auwaerter, Dombrosky and Leming. Mr. Denman, Blakeney and Van Schoick were absent.

The application to erect a fireplace on an existing building which is too close to the property line, owned by Suzanne Dutko on property located at 314 E. Main St., Block 113, Lot 6, was presented.

The appellant was advised by Mr. Moench, Attorney for the Board that inasmuch as only three members of the Board were present, if the case is heard the decision must be unanimous. Appellant asked that the hearing proceed.

In checking proof of service it was discovered that mailed notices had not been certified or registered according to statutory requirements, therefore the hearing could not proceed.

On motion of Mr. Auwaerter, seconded by Mr. Dombrosky, the hearing was adjourned to December 8, 1971 so that appellant could properly notify adjoining property owners.

December 8, 1971

The Board of Adjustment met in Borough Hall December 8, 1971. Members present were Mr. Auwaerter, Dombrosky and Leming. Mr. Denman, Blakeney and Van Schoick were absent.

The Hearing was a continuation of that of November 10, 1971, on the application of Suzanne Dutko for a variance for 314 E. Main Street to erect a fireplace.

Proof of service of notice to adjoining property owners was presented and found satisfactory.

Rejection of a building permit by the Building Inspector was presented. A survey of the property by W. Hopkins, dated 1/11/60 was introduced along with a hand drawn sketch showing the two adjoining lots, no buildings, with the proposed fireplace chimney showing the size of the addition to be an extension of 1'-2" x 6'-23" in height.

A letter from Mr. John Weislo, 308 E. Main St., Manasquan which was received for the originally scheduled meeting was noted. No objections were stated therein. No one appeared to enter objections to the proposed addition.

A resolution was introduced and passed to grant the variance.

See copy of resolution in file.

RESOLUTION

WHEREAS Joe Crines "A Partnership" has applied to the Board of Adjustment of the Borough of Manasquan for permission to construct eight bedroom apartments over the existing tavern as well as an elevated extension to the rear thereof and also to permit said construction in violation of the existing front set back line by 5½ feet at premises located at 153 Sea Girt Avenue, Borough of Manasquan, and known as Block 52, Lots 6, 7, and 55 on the Tax Map of the Borough of Manasquan which premises are in a I zone; and

WHEREAS, the Board, after carefully considering the evidence presented by appellant and of the adjoining property owners and general public, has made the following factual findings:

That expert Mr. Raymond Dinklege, the Architect, presented preliminary sketches or drawings which in fact did not detail any plan as to water, sewerage or drainage disposal facilities and connection with existing Municipal facilities: That in fact, testimony was presented by the objectors as to the inadequacies of present sanitary waste disposal and or sewer lines: That the proposal with respect to parking facilities within the immediate area of the new addition to the existing structure as well as the parking facilities on the entire premises by reason of; business generated by the' tavern could cause hazards for ingress and egress for fire fighting apparatus not only to the proposed structure but also the rear of the existing dwellings on Highway #71: That applicant did not present any feasibility study nor any direct testimony as to the type of rental occupancy intended, eg; seasonal, winter, summer but alluded thereto in general terms.: That a serious question evolves by reason of the fact that an easement to the westerly side of the existing building and along the proposed extended section of the new construction to the rear of the existing building was not clearly defined and that the designation of the encroachment of existing structures as shown on the Architectural sketch could cause hazardous conditions with respect to the ingress and egress of patrols or occupants vehicles and possibly deter the movement of Police Vehicles or Fire apparatus in an emergency situation, that the plan as presented by the applicant and elaborated upon by the architect who prepared same were not verified as to their accuracy by said architect.: That the proposal to erect eight dwelling units over the existing tavern is not in keeping with the uses designated for the particular area, in fact, no such use is permitted in any zone in the Borough of Manasquan under the existing Zoning Ordinance.

WHEREAS, the Board has determined that the relief requested by appellants cannot be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Manasquan; and that the applicant did not furnish any evidence of hardship with respect to the need for a variance under either Sub section C or D of R.S. 40:55-39.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the Borough of Manasquan on the 8th day of March 1972, that approval of the application of Joe Crines "A Partnership" be DENIED.

Moved by: Mr. Dombrosky

Seconded by: Mr. Auwaeter

"Yes" 5

"No"

Absent: None

Not voting: None

January 12, 1972

The Board of Adjustment met in Borough Hall January 12, 1972. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick.

The hearing was for a variance from the Zoning Ordinance to erect a colonial style free standing sign approximately 4 feet by 4 feet at premises located at 232 Parker Avenue, Manasquan and owned by David J. Laird Jr. and Robert F. Laird.

A denial form from the Building Inspector for a permit was presented.

Proof of service was presented and found to be in order.

Mr. David J. Laird, Jr. was sworn and testified as to the need for the sign, due to the set back of the building.

Exhibit A-1, a picture of the actual sign to be erected was presented, as was exhibit A-2, a plot plan for the location of the sign. Mr. Laird testified as to the height and construction of the sign.

There were no objections received regarding the proposed sign.

After a short recess the Chairman announced the resolution which on roll call showed the following vote: "Yes", Mr. Van Schoick, Dombrosky and Leming. "No", Mr. Auwaerter and Denman. The variance was granted with conditions.

See copy of resolution in file.

March 8, 1972

The Board of Adjustment met in Borough Hall March 8, 1972. Members present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick.

The hearing was for the application of Joe Crine's, a partnership for property located at 153 Sea Girt Avenue, Manasquan and known as Block 52, Lots 6-7-55, to permit construction of eight one bedroom apartments over the existing structure and an extension in the rear, consisting of an elevated second floor, permit for same having been denied by the Building Inspector, as per copy of denial presented.

See copy of resolution attached which contains summary of hearing.

May 10, 1972

A regular meeting of the Board of Adjustment was held in Borough Hall on May 10, 1972 at 7:30 P.M. Those present were Mr. Auwaerter, Denman, Dombrosky, Leming and Van Schoick.

The purpose of the meeting at this time was for reorganization.

A motion was made that the same slate of officers be elected. The motion was carried naming Mr. Van Schoick as chairman and Mr. Leming secretary of the Board.

July 10, 1972

At a regular meeting of Council on above date the Mayor announced the appointment of Mr. Frank Gedrowicz as an alternate member of the Board of Adjustment.

February 13, 1974

BOARD OF ADJUSTMENT HEARING:

Members present; Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick, and Mr. Frederick J. Moench, Attorney for Board.

HEARING FOR LAFAYETTE SIGN CO. for Russell B. Case & Son Buick dealers, Main Street, Blk 64, Lot 1 for erection of one free standing sign and replacement of one that now exists.

Mr. Moench, Attorney for the Board read the resolution by the Board for the Lafayette Sign Co. recommending erection of these signs to the Mayor and Council. The resolution was moved by Mr. Gedrowicz, Seconded by Mr. King. The Motion was passed by the following vote; "yes" Mr. Gedrowicz, King, Solt and VanSchoick. "No" - None. Mr. Auwaerter disqualified himself due to conflict of interest.

Mr. VanSchoick, Chairman for this hearing claimed this hearing closed.
(Continuation)↓

HEARING FOR FREDERICK PAPERTH, 1000 Riverview Drive, Brielle, to erect sign on lawn in front of his professional building located at 28 Union Avenue, Blk 82 Lot 19A/21A.

Members present for hearing- Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick

Members of the Board requested Dr. Paperth bring in more information on how the sign would be constructed such as material, size etc. and also recommended the replacement of the sign to different area.

Dr. Paperth stated he would get the material to the Clerk as soon as possible.

Dr. Paperth also stated he would grant extension of time for the Board since this hearing would go beyond the 90 days.

Mr. Gedrowicz moved this hearing be continued on March 13, 1974 at 8:00 P.M., seconded by Mr. Solt. Motion carried by the following vote; "Yes" Mr. Auwaerter, Gedrowicz, King, Solt and VanSchoick.

CONTINUATION OF HEARING MIKE'S AUTO IMPORTS

Mr. Auwaerter disqualified himself for this hearing due to conflict of interest.

Board members asked Mr. DeLisa, manager of Mike's Auto Import to bring more information on construction of sign and also recommended the placement of sign in another area.

Mr. DeLisa stated he would have material to the Clerk by the following Monday.

Mr. Gedrowicz moved this hearing be continued on March 13, 1974 at 8:00 P.M., seconded by Mr. Solt, Motion carried by the following vote; "Yes" Mr. Gedrowicz, Solt, King and VanSchoick.

Hearing adjourned.

Mr. Dombrosky was made chairman of the Board for the year 1974. Motion was made by Mr. Auwaerter, seconded by Mr. Van Schoick. Motion carried by the following vote; "yes", Mr. Dombrosky, Gedrowicz, Solt, King and VanSchoick, and Auwaerter.

Motion was made by Mr. VanSchoick that Mr. Gedrowicz be Secretary for the Board for the year 1974. Seconded by Mr. Auwaerter. Motion carried by the following vote; "Yes" Mr. Auwaerter, Dombrosky, King, Solt, and VanSchoick.

Also to made part of the minutes was the change in the application for a variance in reference to "Filing of affidavit of service." To read as follows;

Affidavit of service and supporting documents enumerated below shall be filed not later than 1:00 P.M. on the second (2nd) day next preceding hearing date previously given to the applicant.

Affidavit in the form suggested (see Form-3) shall be completed substantially in the form as shown.

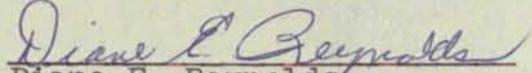
Receipts where service is made by registered or certified mail must be attached to the application as an exhibit and be referred to in the affidavit. Receipts for mailing, bearing official postmark of mailing, as well as return receipts MUST be arranged in order to conform with the listing called for below.

Accompanying the affidavit shall be a listing of all property owners within 200 feet. Said listing shall set forth Lot and Block numbers and name of person or persons whose name appears on the most recent tax list of municipality or municipalities. Said list shall be certified by the applicant or his attorney as a true copy of the listing as obtained from the municipal record.

A motion was made to change the reading on the application in reference to the "Affidavit of service" to read as the above, by Mr. VanSchoick, seconded by Mr. Auwaerter. Motion carried by the following vote; "Yes" Mr. Auwaerter, Dombrosky, Gedrowicz, King, Solt, and VanSchoick.

Meeting adjourned.

Respectfully submitted



Diane E. Reynolds
Clerk to the Board