

BOARD OF ADJUSTMENT - REGULAR MEETING JUNE 13, 1979

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

MEMBERS ABSENT: Messrs. Harry Huebner and Howard Wright

WORK SESSION began at 7:30, all members present. Discussion of resolutions before Board: Walsh Holding Co., Dominic Incolla, E. Raymond Corcoran Inc., Pinehurst Development & J.C. Williams Co.

Meeting was called to order at 8:15 P.M. by Vice Chairman VanSchoick with a roll call. There were five members in attendance constituting a quorum. Had 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.

Minutes of April 11, May 9 and May 16th. meetings were moved by Ruth Dillon, seconded by Kenny Schneider, All members voting yes.

038 REPORT of two (2) meetings held April 25, 1979 and May 9, 1979 regarding J.C. Williams Co. sign permit, similar to that which a variance was denied, is covered under Resolution 10-79 and 11-79. Board conducted a private meeting on the 9th. day of May. As of this moment no legal action taken or authorized.

060 WALSH HOLDING CO. Michael Landis, attorney for Walsh Holding Corp. asked that the Board re-adopt Resolution 19-78 dated October 11, 1978 because of the unavailability of mortgage money.

Ruth Dillon moved resolution 12-79 to readopt resolution 19-78. Seconded by Kenny Schneider. All members voting yes. Resolution was read by Mr. Ragan.

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E. RAYMOND CORCORAN INC. REQUEST for a variance to close in front porch. It was noted by Attorney Ragan that the Public Meeting was closed. There was a discussion pertaining to new Ordinance on square footage in bars. Discussion on non smoking areas, effective date January 1980. Mr. King concerned with appearance of premises. Had made three inspections and still felt that premises had not been cleaned up.

Mr. Corcoran said that he had contracted Mr. Boden to do over driveway, he had put new steps but had not been able to paint them. That he was hindered with the weather. He said that the paper and bottles were a never ending battle.

BOARD OF ADJUSTMENT - REGULAR MEETING JUNE 13, 1979 CON'T

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Mr. King moved a motion to continue application until the next regular meeting unless a special meeting is called before. Seconded by Kenny Schneider. All members voting yes.

Sam Mahanawich spoke about the denial of Mr. Incolla. Mr. VanSchoick told him that a house could be built to conform with the code. There was a discussion pertaining to the Incolla application.

Adjourned to a private meeting.

Discussion of the word DeMinamis. Mr. Ragan had given Board a copy of page from dictionary that council referred to at last meeting. Mr. King and Mrs. Dillon are in agreement they feel the decision of building inspector was correct. No abandonment of billboard by J.C. Williams Co.

Board was told to consider the facts that were brought out in testimony any impressions should not be considered. That there are two ways a non-conforming use may be removed. 1. abandoned 2. destroyed.

Mr. VanSchoick said that the board has no fault with the Building Inspector or the Code Enforcement Officer. He felt the application had come in the back door. If it had been destroyed in some other way, that it was gone.

Mr. King said that he felt the facts obtained in hearing supported the building Inspector and the Code Enforcement Officer and a Resolution to that effect should be drawn. Seconded by Ruth Dillon. Yes: Raymond King, Kenneth Schneider and Ruth Dillon. No: Ed Piotrowski and James VanSchoick.

Motion was made and seconded to send Harry Huebner a letter thanking him for his thoughtfulness. All members voting yes.

Motion was made and seconded to make James VanSchoick permanent Vice Chairman. All members voting yes.

John McMullen felt that Mr. Miller should have a better attitude toward the Board of Adjustment.

Motion was made by Ed Piotrowski seconded by Kenny Schneider to adjourn meeting. All members voting yes.

Meeting adjourned at 9:35

BOARD OF ADJUSTMENT - SPECIAL MEETING JUNE 8, 1979

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

MEMBERS ABSENT: Messrs. 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 pgs.) 3/17/79
2. Letter addressed to Charles Starkey from Andres dated 2/20/79
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 12/18/78.
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. Deniel letter from building inspector, Dan Miller, with hand wirtten 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 with hand written notations - side view.
16. State of New Jersey D.O.T. Outdoor Advertising permit # 14778-1978. front and back.
17. May 15, 1979 to Bd. of Adj. from Dan Miller
18. 5/11/79 to J.C. Williams .transmitted by Certified mail 5/14
19. Notice of appeal - 5/8/79 - 2 pgs. John McMullen
20. List of property owners
21. Notice of public hearing and green cards/ receipts of certif.
22. Affidavit of proff of service -#6-79 May 22, 1979
23. Affidavit of publication
24. 6/4/79 Advertising D.O.T. / application for outdoor advertising permit
25. Resolution 10-79 dated April 25, 1979
26. Relolution 11-79 Dated May 9, 1979.

Stephen A. Pardes from office of Ken Fitzsimmons made motion for all members of the Board to disquality themselves on basis of Resolutions 10-79 and 11-79. Joined in motion by Robert P. Ward representing J.C. Williams Co.

BOARD OF ADJUSTMENT - SPECIAL MEETING JUNE 8, 1979 CONTINUED

All Board members stated that they had not pre-judged or pre-determined case.

All members voted to deny motion by Attorney Pardes.

John Mc Mullen was sworn in by Attorney Ragan stated his name as John D. McMullern his address #2 N. Farragut Avenue. He stated that he felt the billboard was unsitely, it had no financial benefit to the Borough, and that he understood there was an Ordinance prohibiting billboards.

Mr. Pardes asked how far he lived from the billboard and he said that he lived app. a $\frac{1}{4}$ of a mile away. that he had not tried to buy or to sell property. Attorney Pardes made motion based on N.J.S.A. 40:55D-72 and 40:55D 4 that Mr. McMullen was not an interested party and that the Board did not have jurisdiction. Attorney Pardes was joined by Attorney Ward in motion.

Board reserved dicision on motion at this time.

Mr. King asked Mr. McMullen questions about years he has lived in Manasquan to qualify him as an interested party.

Discussion of Attorneys with John McMullen pertaining to his knowledge of issuance of building permit.

Mr. Miller was sworn in by attorney Ragan stated his name as Daniel P. Miller and he resides at 23 Vroom Avenue, Spring Lake, N.J. is the Construction Official for the Borough of Manasquan. Mr. Miller said that he had first issued permit to demolish billboard pending new location. He then gave a short history with regard to the issuance of permit and answered questions from the Board regarding issuance of permit and billboard.

Mrs. Dillon asked about exhibit A-2 dated 2/20/79. There was dicussion about TDI. Mr. Schneider asked if they had to get new permit for the billboard. Mr. VanSchoick asked if they had considered any other location for billboard. There was a discussion with regard to exhibit 13- presant site and proposed re-location. Mr. Miller said that there was a Ordinance Prohibiting billboards but that the J.C. Williams sign predated the Ordinance.

Jerry Iannelli swore to tell the truth ect. gave his name as Jerry Iannelli his address as 40 Main Street, Manasquan, N.J. Mr. Iannelli spoke about the right of J.C. Williams to put up billboard. Said he was the Code Enforcement Officer in the Borough of Manasquan. Mr. Iannelli stated for the record that Mr. Miller and himself were representing the Borough of Manasquan and not J.C. Williams Co. Mr. Iannelli futher stated that J.C. Williams Co. had the right to put the billboard back up according to legal advice from the Borough Attorney.

Mr. King and Mr. Iannelli engaged in questions about TDI. Mr. Pardes objected to line of questioning as irrelevant.

Mr. Miller explained that he was the Zoning Officer for new construction and Mr. Iannelli was the Zoning officer for old construction.

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The was a great deal of discussion about the definition of the term De Minimis.

BOARD OF ADJUSTMENT - SPECIAL MEETING JUNE 8, 1979 CON'T.

John Winterstella introduced himself as president of Borough Council. He said that on two occasions Mayor and Council met with Borough Attorney Ken Fittsimons and J.C. Williams' attorney. That the Mayor and Council made a unanimous decision to stand behind decision of Building Inspector. That both meetings were prompted by statements from Harry Huebner acting Chairman and Attorney for Board Pete Ragan. He then spoke as a citizen and taxpayer of Manasquan. He said that he was concerned as to how the appeal had come about, because of the dates of appeal, also because of the monies that it cost the taxpayer.

Mr. King asked if there had been any communication between the Board and Mayor and Council. Mr. Winterstella said that there was no communication and he felt that there was no need. There was a long discussion and a clarification about the above noted facts. Mr. Winterstella said that if there was a breakdown in communications it was within the Board.

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

Mr. King asked Attorney Pete Ragan for the definition of an interested party.

Motion made by Mr. King that John McMullen is an interested party and Mr. Pardes earlier motion be denied. All members voting yes.

Mr. King made motion to reserve decision on Appeal until next meeting. Seconded by Ed Piotrowski. Yes vote: Messrs. Raymond King, Ed Piotrowski, Kenny Schneider and James VanSchoick. No: Ruth Dillon.

Raymond King made motion to adjourn meeting seconded by Ed Piotrowski. All members voting yes.

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Motion was made and seconded to make James VanSchoick permanent Vice Chairman. All members voting yes.

John McMullen felt that Mr. Miller should have a better attitude toward the Board of Adjustment.

Motion was made by Ed Piotrowski seconded by Kenny Schneider to adjourn meeting. All members voting yes.

Meeting adjourned at 9:35

MANASQUAN BOARD OF ADJUSTMENT-REGULAR MEETING APRIL 9, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Mr. Bill Miller, Mr. Ed Piotrowski, Mr. James P. VanSchoick, Mr. C. Raymond King, and Attorney Peter Ragan

ABSENT: Mr. Russell Neiberlein, Mr. Kenny Schneider
Mr. Jim Smith and Secretary Jo-Ellen Brown

Meeting was called to order by Chairman King with a roll call. Salute to the Flag and an announcement 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 Asbury Park Press and the Coast Star.

Minutes were moved by Mr. VanSchoick, seconded by Ed Piotrowski, Yes vote: Ed Piotrowski, James VanSchoick, Raymond King
Abstained: Ruth Dillon and Bill Miller.

AMENDED RULES AND REGULATIONS

Jim VanSchoick made motion to adopt the amended Rules and Regulations for Zoning Board of Adjustment and to authorize the Secretary to make or obtain the appropriate number of copies that will be needed of each. Seconded by Ed Piotrowski. All members voting yes.

DIET CENTER

Motion made to dismiss case for lack of prosecution. Motion made by Bill Miller, seconded by Jim VanSchoick. All members voting yes.

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Mr. Ragan said that he had been requested by the Board to research whether or not the cost of expert witnesses, that may be called by the Board, could be passed on to the applicant. In his opinion the cost of an expert called by the Board must be paid by the Board and the cost cannot be passed on the applicant.

P.A.F. ASSOCIATES 125 BEACHFRONT MICHEAL ACKAWAY

Richard Wight representing P.A.F. Associates. Mr. Wight said that this Variance Application was primarily concerned with the width of the home; that the lot was only 27' wide. That they would only be using 67% of the lot. That the lot is of unusual and odd shape and it would be a hardship for them to have to comply with the 5' side yard. (LIST OF EXHIBITS ATTACHED)

Mr. Wight introduced Mr. EDWARD ANGSTER-29 Central Ave., Toms River. Mr. Ragan swore in Mr. Angster and he said he was a licensed Architect, Engineer, Surveyor, Planner in the State of N.J. also, a licensed Building Inspector, Building sub-code official and Construction Official. h

Referred to condition #4. Chimney on South side of house blocks side yard thru to beach. Said that they were going to modify plan to allow walk under chimney; that it is a wood burning stove and does not require foundation.

Condition 5 requires parking spaces. That they will provide for them.

Lot lies in the V-4/B & C Zones.

Basement floor elevation is 10'/ Finished First floor will be elevation 19 feet. That there will be a partial basement in rear of house. Approximately 22 feet deep with storage and shower and toilet (10 ft. elevation) That there will be crawl space rest of areas. That they will place any beach sand on Beach. Mr. Angster said he doesn't feel that an elevated structure is necessary.

P.A.F. ASSOICATES CON'T

Mr. Angster further stated that it would be a one family house with six bedrooms. Four on second floor with a large room that they are calling a card room. That there will be two bedrooms on first floor with bath, laundry room and kitchen, with deck on east side.

SIDE A SECOND TAPE

Mr. Angster further stated that the plans were in error, that the basement should be on the west side instead of on east side along with walkway; that they will enter off deck into dining and kitchen area and thru living room; that there will also be another side entry to go to bedroom area upstairs, and another door in rear on side to get in to laundry room in back without passing thru entire house; that the elevation of the highest room was 24'; to top of chimney is 26'; that the plans do not show service walk but will be put in on north side; that the bedrooms will only be 9'9" wide; that there are existing houses within a couple of feet of line and it would be impossible to aquire additional land; that the ordinance allows 75% usage with 40 ft. front, only asking a little less using 27 foot front; that the outside lighting will only be service lights; that the heat will be baseboard hot water gas.

Mr. ACKAWAY called and sworn in by Attorney Ragan stated his name and address as Micheal Akaway, 368 Hillpot Road, Toms River, N.J. Mr. Ackaway stated that he didn't think there would be any air conditioning or any special outside lights, that the walkway on north side would propably be concrete; that he was not going to live there all year round but would maintain heat and everything all year; that it will be owner occupied, they have no plans for renting.

Mr. Ackaway further stated that he had no objections to pilings if Board feels that its better.

No other witnesses. Objector Tim McLoughle, his grandmother, Rose Buckley lives on South Side and was concerned with the chimney in walkway. Mr. Angster said that he anticipates a clearance of 10 ft. That the property would be no closer to property line than his house is to property line.

Motion made by Mr. VanSchoick to have site inspection on Sat. April 12, 1980, at 9:00 A.M. All members voting yes.

Board asked if Mr. Ackaway was aware of Ordinance 1066 and the requirements. They said that they would meet the critera set forth in Ordinance and will bring in revised plans.

Motion to continue hearing until next regular meeting without the need for any additional notice, made by Mr. VanSchoick, seconded by Mrs. Dillon, All members voting yes.

Motion made by Mr. VanSchoick to have a special meeting on April 23, 1980, seconded by Mrs. Dillon. ALL members voting yes. Mr. Miller unable to attend meeting.

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

SPECIAL MEETING MANASQUAN BOARD OF ADJUSTMENT APRIL 23, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Russell Neiberlein, Ed Piotrowski, James VanSchoick, C. Raymond King, and Attorney Peter Ragan

ABSENT: Messrs. Bill Miller, Kenny Schneider and James V. Smith

MEETING WAS called to order at 8:10 P.M. with a roll call, Mr. King announced that it was open public meeting held in accordance with the Open Public Meetings Act of 1975 and that adequate notice had been given to the Coast Star and the Asbury Park Press.

Mr. King announced that this was a special meeting for Micheal Ackaway, 125 Beachfront; that it was a continuation of a Public Hearing.

Mr. Ansgter, Architect, was reminded that he was still under oath and **produced 6 copies of revised site plan.** The revised site plan was marked exhibit A-11.

Mr. Ansgter said that he had spoken to Mr. Ackaway concerning the concrete walk, that Mr. Ackaway had testified to at the last meeting. Mr. Angster had recommended to Mr. Ackaway that they use boardwalk type. Mr. Ansgter also said that they would blacktop the parking area; that they did not expect any water problem on north side but that they proposed 3, three foot, dry wells.

Rivised building plan marked exhibit A-12.

Mr. Angster said that the foundation had been redesigned for pile design, walls will brake away and allow water to go thru building; that lolly columns above peers will be completely filled with concrete and reinforced rods, joist straps on every joist and bond beams connecting all peers together. Front section without basement will have a decortive type wood grill work underneath, possible louver type; that the basement location was corrected on the revised plan.

Mr. Kenny Miller, Fire Inspector testified that he would recommend that the chimney be placed inside the building, because there was only a 9 inch offset from face of chimney to lot line and fire equipment would not be able to get in the alley.

Mr. Angster said that they would put chimney on inside and would put revisions on the plans to be presented to the building inspector for his approval.

Mrs. Dillon moved motion to close public hearing. Seconded by Mr. VanSchoick. All members voting yes.

Mr. VanSchoick moved **motion to draw** a favorable resolution be granted with 27 foot front and 3.2" side yards. Seconded by Ed Piotrowski All members voting yes.

Motion made by Ruth Dillon to adjourn meeting, seconded by Russ Neiberlein. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING DECEMBER 10, 1980

MEMBERS PRESENT: Messrs. Russell Neiberlein, Ed Piotrowski, Kenny Schneider, James VanSchoick, Jim Smith, Raymond King and Attorney Peter Ragan

ABSENT: Mrs. Ruth Dillon and Mr. Bill Miller

Meeting was called to order with a roll call, having a quorum present the Salute to the Flag was held and there was an announcement that the meeting was held in accordance with the Sunshine Act of 1975. Adequate notice had been given to the Asbury Park Press and the Coast Star.

OCTOBER 8, 1980 MINUETS were moved by Mr. Smith, seconded by Mr. Schneider and carried by a unanimous vote.

NOVEMBER 12, 1980 MINUETS were moved by Mr. Schneider, seconded by Mr. Neiberlein, and carried by unanimous vote.

Mr. VanSchoick stated for record that he had listened to the tape of the November 12, 1980 meeting and would sign written certification.

RESOLUTION 19-80 BARRY AND PEGGY IVINS

Resolution 19-80 was read by Attorney Ragan, moved by Mr. Schneider seconded by Mr. Smith and carried by unanimous vote.

APPLICATION 9-80 WILLIAM AND HARRIET LYTLE CONTINUED

Members of Board had visited site except Mr. VanSchoick.

Mr. Schneider moved the Public Meeting be closed. Carried by unanimous vote.

Mr. Piotrowski moved that a favorable resolution be drawn, seconded by Mr. Schneider. Carried by unanimous vote.

10-80 BERNARD AND JEAN PREBLICK CONTINUED

Proposed repairs and renovations marked exhibit A-9, read by Attorney Ragan. Mr. Hillman said that Mr. Preblich would be willing to make these conditions a part of resolution if Board grants variance. Mr. King noted for record that facilities are already there. Stairway on side of house will be used for emergency exit only.

Mr. Schneider made motion to close public hearing, seconded by Mr. VanSchoick and carried by a unanimous vote.

Mr. Schneider moved that the Board draw a favorable resolution based on facts and do away with rooming house license. Seconded by Mr. Piotrowski. Vote Yes: Messrs. Piotrowski, Schneider, VanSchoick and King, NO: Messrs. Neiberlein and Smith.

Mr. Schneider moved motion to reopen public hearing seconded by Mr. Piotrowski and carried by unanimous vote.

Motion was made and seconded for a 10 minuet recess.

Roll call - all members present

Mr. Schneider made motion to close public hearing, seconded by Mr. Piotrowski, carried by unanimous vote.

Mr. Schneider moved Resolution in favor of application, with stipulation that rooming house license will be removed and all the things the Mr. Preblich testified to be part of Resolution. Seconded by Mr. Piotrowski and carried by unanimous vote.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING DECEMBER 10, 1980 CONT'

APPLICATION 11-80 DONALD EISENMAN-105 CURTIS PLACE

Mr. Eisenman was sworn in by Mr. Ragan gave his name and address as Donald Eisenman, 105 Curtis Place, Manasquan, N.J. The following exhibits were marked into evidence.

- A-1 Letter of Deniel from Construction Official
- A-2 Variance application form 2 pages
- A-3 List of Property woners 3 pages
- A-4 Affidavit of Proff of Service with receipts of Certified Mail
- A-5 Survey of Lot 3 Block 49
- A-6 2 page sketch of proposed construction
- A-7 Notice of Hearing to Property Owners
- A-8 Affidavit of Publication

Mr. Ragan read deniel from construction official regarding Mr. Eisenmans application. Mr. Eisenmans house does not meet the rear yard requirement of Sch. I of the Zoning Ordinance.

Mr. Smith stated that he had inspected premises before meeting, and that Mr. Eisenman presently had an attic which he would like to enlarg to a bedroom with bath and also to raise roof 3 feet to comply with B.O.C.A. Minimum ceiling of 7'6".

2nd. Mr. VanSchoick made motion to close public hearing seconded by
side Mr. Neiberlein and carried by unanimous vote.

Mr. VanSchoick moved a resolution to grant the variance seconded by Mr. Piotrowski, incorporating all facts testified to by Mr. Eisenman, Carried by unanimous vote.

APPLICATION 9-80 REOPENED William and Harriet Lytle
Motion made to reopen public hearing on Application 9-80 for variance and revoke former motion and move a favorable resolution, seconded by Mr. Schneider and carried by unanimous vote.

Motion to adjourn at 9:30 by Mr. VanSchoick seconded by Mr. Piotrowski and carried by unanimous vote.

Jo-Ellen Brown, Secretary

**THE FOLLOWING
DOCUMENT OR
PAGE IS IN POOR
CONDITION.**

TOO LIGHT
TOO DARK
RIPPED/TORN
OTHER

MEMBERS PRESENT : Messrs. Neiberlein, Piotrowski, Van Schoick, Smith, King, Doles, Sullivan and Mrs. Wagner.

ABSENT: Mr. Schneider

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the November 17, 1981 meeting were moved by James Smith, seconded by Russell Neiberlein and carried by the following vote; Messrs. Neiberlein, Piotrowski, VanSchoick, Smith, King, Doles, Sullivan, & Mrs. Wagner.

Resolution 10-81 - Thomas Alu, Joseph Alu, Marie Cortese & Antoinette Frasco - 432 & 432½ E. Main St., was read by Mr.

Ragan, moved by James Smith, seconded by Evelyn Wagner and carried by the following vote: Yes; Messrs. Piotrowski, Smith, King, and Mrs. Wagner. No; Messrs. Neiberlein, Doles and Sullivan. Abstain; Mr. Van Schoick.

Application 17-81 - 2534 Holding Co. (BPOE Elks) 17 Stockton Lake Blvd., CON'T Douglas B. Hanna, Attorney; Alfred Dompieri, Exalted Ruler; Roger Knox, Trustee.

Exhibits marked into Evidence; NO OBJECTORS PRESENT

- A-1 Denial from Construction Official
- A-2 Notice of Appeal and Variance Form
- A-3 Notice of Hearing to Property Owners
- A-4 Affidavit of Proof of Service
- A-5 List of Property owners
- A-6 Survey of Property
- A-7 Copy of Contract to purchase property(67 Colby Ave.)

Alfred Dompieri was sworn in by Mr. Ragan. He described the property as follows; 3 car cinderblock garage, to be used for storage.

Ranch style house to be used as offices.

Large paved area to be used for parking.

Mr. Dompieri stated the Elks needed the additional room because the Lodge was growing so rapidly. They were especially in need of additional parking. They would erect a fixed barrier on Colby Avenue, so the driveway would not be used for egress. A fence would also be erected to block headlights. There wouldn't be light pollution from overhead lights.

Mr. Van Schoick moved for a site inspection, seconded by Evelyn Wagner, and carried unanimously. Inspection was set for 9 am December 19th.

Application 18-81 - Adult Communities, Inc. - 200 Atlantic Avenue, Manasquan Robert Wood, Attorney

Mr. Wood accepted the written minutes as testimony of fact. This was necessary because of malfunction of tape recorder at November 17, 1981 meeting.

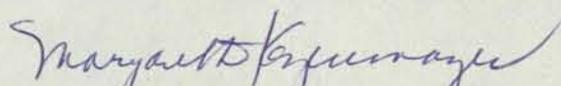
Mr. Wood said his client would accept minutes without further testimony on either side. Mr. King said he would allow testimony or questions concerning the site inspection only. Mr. King closed public meeting. Messrs Doles, Smith and Sullivan, all agreed plans were beautiful for the condominiums, but improvement to area would be marginal, as compared to single family homes. All agreed the primary reason they were against granting the variance was the objections of the neighbors to a zoning change. The board members felt the zoning should be respected. Mr. Doles moved for denial, seconded by Mr. Piotrowski, carried by the following vote: yes; Messrs. Neiberlein, Piltrowski, Smith, King, Doles, Sullivan and Mrs. Wagner. Abstain: Mr. Van Schoick.

Application 20-81 - Manasquan Lumber - 233 E. Main St. - Postponed

The above application was postponed until January 19, 1982 meeting. The applicant will not have to re-notify their neighbors.

Old business: Comments on the Fisherman's Cove presentation were favorable, but would like more information on where money will come from.

adjourned meeting at 9:15 pm.


Margaret D. Kazenmayer
Secretary to the Board

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - May 19, 1981

MEMBERS PRESENT: Messrs. Russell Neiberlein, Ed Piotrowski, James P. Vanschoick, C. Raymond King, Ronald Doles, Leonard D. Sullivan and Mrs. Evelyn Wagner.

ABSENT: Kenny Schenider and Jim Smith

Work session began at 7:30 P. M. with discussion of applications before board.

Regular meeting was called to order at 8:00 P. M. with a roll call. The salute to the Flag was recited and Mr. King made an announcement that the meeting 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.

Minutes of April 21, 1981, meeting were moved by Mr. Vanschoick and seconded by Mrs. Wagner. The tape of the previous meeting was checked and the voting record corrected.

RESOLUTION - 4-81 - WILLIAM AND LILLIAN SMITH 16 CHURCH STREET - MEMORIALIZED
Resolution 4-81 was read by Attorney Ragan, moved by Mr. Doles, seconded by Mr. Sullivan and carried by the following vote: yes; Messrs. Piotrowski, Vanschoick, C. Raymond King, Doles, Sullivan and Mrs. Wagner. Abstained: Mr. Neiberlein.

RESOLUTION 5-81 - BEN BIRCH, 475 LONG AVENUE - MEMORIALIZED

Resolution 5-81 was read by Attorney Ragan, moved by Mr. Vanschoick, seconded by Mr. Piotrowski and carried by the following vote: yes; Messrs. Piotrowski, Vanschoick, King, Doles and Sullivan, and Mrs. Wagner. Abstained; Mr. Neiberlein.

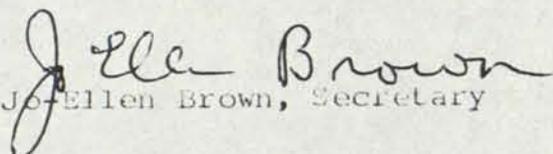
APPLICATION 6-81 DENIS AND LOIS CAMPBELL/MAIN PHARMACY - 149 Main Street - Con't
Thomas C. Brown, attorney for Mr. & Mrs. Campbell

The following exhibit was marked into evidence:

A-8 Map

Builder George Harlander sworn in. Members asked questions, he explained building plans. He stated there wasn't any other way to position new stairs and said lights would be put over stairs in vestibule. NO AUDIENCE. Mr. Vanschoick moved a resolution granting variance and adopting testimony as fact, seconded by Mrs. Wagner and carried by an unanimous vote.

Meeting adjourned at 8:19 P.M.


JoEllen Brown, Secretary

**The Following
Documents are
of
Poor Quality and
Can't be Filmed
any
Better**

MANASQUAN BOARD OF ADJUSTMENT-FEBRUARY 17, 1981-REGULAR MEETING

MEMBERS PRESENT: MESSRS. Russell Neiberlein, Robert Dole, Kenny Schneider, Len Sullivan, Jim Smith, Jim VanSchoick, Mrs. Wagner and Attorney Peter Ragan.

ABSENT: Messrs. Ray King and Ed Piotrowski

Meeting was called to order at 8:03 p.m. Mr. VanSchoick announced that the meeting was held in accordance with the Sunshine Act. Adequate notice had been given to the Asbury Park Press and the Coast Star. The Salute to the Flag was recited and the Secretary called the roll.

Minutes of the January 14, 1981 meeting were moved by Mr. Schneider seconded by Mr. Smith and approved by unanimous vote.

APPLICATION 1-81 VINCENT PERRELLA-72 TAYLOR AVENUE CONTINUED

M. Schell
~~Robert~~ Force, Attorney representing Mr. Perrella. The following exhibits were marked into evidence:

- A-1 Letter of denial from Construction Official
- A-2 Notice of Appeal and Variance Application
- A-3 List of property owners (2 pgs.)
- A-4 Notice of hearing to property owners
- A-5 Proof of Service and letter to Comm. of Transportation
- A-6 Affidavit of publication from Coast Star
- A-7 Hand drawn sketch and copy of survey of property
- A-8 First floor drawing
- A-9 Letter from Mrs. Carlton

Mr. Perrella was sworn in by Attorney Ragan. He gave his name as Vincent Perrella, his address as: 122 West Sylvania Avenue, Neptune, New Jersey. He said that he owned and operated a hair styling business on Sea Girt Avenue. He said that in 1978 he and Al Papac started looking for a property for him to purchase. In September or October he went to see the Building Inspector and was told there would be no changes on property; that what he wanted to do was permissible in the B-1 Zone and as far as the building inspector knew, there were no changes pending. He said that he closed on property in question April 30, 1979, and was in a car accident the following week, that he was out of work for 9 months. Mr. Perrella said that he applied for a building permit in September 1980 and was told that the zone had been changed to C instead of B-1. Mr. Perrella further stated that he was presently a tenant in the building on Sea Girt Avenue. That the landlord had extended his lease until the end of April. He said that the side and rear yards of property would not be affected, that there would be a yearly rental in upstairs apartment; the tenant would have to go thru building to get to upstairs apartment. That if he put in air-conditioning it would be separate units, mounted in walls. That there was 25' from the house to property line and that he wanted to put a wide driveway (20') for in and out traffic.

No objectors in audience

Al Papac sworn in by Mr. Ragan, gave his address as 15 Minerva Avenue Manasquan, New Jersey. He stated that Mr. Perrella and himself had gone to various locations looking for suitable property. After finding the property in question they went to see the building inspector and was told that there would be no problem doing what he wanted to do with property, so he entered into contract. Mr. Papac further stated that his business was done strictly by appointment and in a professional manner.

Mr. Force called William A. Kane. He gave his address as 228 East Main Street, Manasquan, N.J. Mr. Kane stated that he had been a real estate broker for 22 years, 12 of them in New Jersey. That based on his review, he felt that having the business and apartment in building would improve the security and the value of property; that in a B-1 zone a beauty shop would be allowed.

Mr. Smith made motion to continue public hearing and have site inspection March 14, 1981 at 9a.m., seconded by Mrs. Wagner and carried by unanimous vote.

Mr. Force to submit a form of resolution at March 17, 1981 meeting.

MANASQUAN BOARD OF ADJUSTMENT - FEBRUARY 17, 1981 CONTINUED

2-81 DOMBEL AND MANFRE - 74 OCEAN AVENUE CONTINUED

No objectors present.

Mr. Smith made motion to close public hearing and draw a favorable resolution, seconded by Mrs. Wagner and carried by unanimous vote.

GAMMON TECHNICAL PRODUCTS - 235 PARKER AVENUE CONTINUED

Mr. Morris was sworn in by Attorney Ragan and gave his name and address as: Albert Morris, 1119 Arnold Avenue, Point Pleasant, New Jersey. He said that he was a licensed land surveyor for the past 35 years; that he did prepare map that was marked as exhibit A-9. That the area drains to highway 71. That there were no significant changes, that the property was handling the run off now and it would continue to handle the run off when the improvements were made.

No objectors in audience.

Letter from Kenny Miller, Fire Inspector was marked Exhibit A-10.

Board asked Mr Gammon to plant trees as a buffer zone, at completion of construction. This had been a condition of former resolution and had never been done. Mr. Gammon offered to post a bond but was told his word was good enough.

Motion made by Mr. Neiberlein to close public hearing, seconded by Mr. Smith and carried by unanimous vote.

Mr. Smith made motion to grant Use Variance, Site Plan approval and Sub-division, seconded by Mr. Sullivan and carried by unanimous vote.

WILLIAM AND LILIAN SMITH 16 CHURCH STREET - APPLICATION 4-81

Mr. Smith was sworn in by Attorney Ragan and gave his name and address as: William Smith, 16 Church Street. The following Exhibits were marked into evidence:

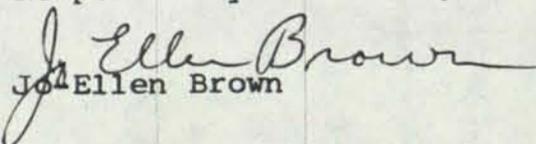
- A-1 Leter of deniel from construction official
- A-2 Variance appeal and application form (2 pgs.)
- A-3 Affidavit of proff of Service
- A-4 List of property owners with white receipts of certified mail
- A-5 Copy of notice in Coast Star
- A-6 Sketch of proposed construction
- A-7 Survey of property dated 5-8-78

Mr. Smith withdrew application before Board to amend the application to read a two family dwelling.

Mr. Jim Smith made motion to adjourn application until the March 17 meeting, to consider revised application, new service, new notice, sketch of first floor and second floor apartments. Seconded by Mr. VanSchoick and carried by unanimous vote.

Motion made and seconded to adjourn meeting at 10:30. Carried by unanimous vote.

Respectfully submitted,


Jo Ellen Brown

approved

MANASQUAN BOARD OF ADJUSTMENT - REGULAR MEETING JANUARY 14, 1981

MEMBERS PRESENT: Messrs. Neiberlein, Piotrowski, VanSchoick, Smith, King, Doles, Sullivan, Schneider and Mrs. Wagner

ABSENT: None

Meeting was called to order with a roll call. Having a quorum of regular members and 2 alternates. The Salute to the Flag was recited and Mr. King announced that the meeting was held in accordance with the Sunshine Act of 1975.

Mr. Ragan gave the Oath of Office to the new members and also members who were reappointed to the Board of Adjustment.

Mr. VanSchoick moved that the minutes of the December 10, 1980 meeting be approved as posted on bulletin board. Seconded by Mr. Schneider and approved by unanimous vote.

RESOLUTION 20-80- BERNARD AND JEAN PREBLICK MEMORIALIZED

Resolution was read by Mr. Ragan, moved by Mr. VanSchoick, seconded by Mr. Schneider and carried by the following vote: Yes: Neiberlein, Smith, Schneider, Piotrowski, VanSchoick and King. Abstained: Mrs. Wagner.

RESOLUTION 21-80 WILLIAM AND HARRIET LYTTLE MEMORIALIZED

Resolution was read by Mr. King, moved by Mr. Neiberlein, Seconded by Mr. VanSchoick and carried by the following vote: Yes: Messrs. Neiberlein, Schneider, Piotrowski, Smith, VanSchoick and Mr. King. Abs: Mrs. Wagner

RESOLUTION 23-80 DONALD EISENMAN MEMORIALIZED

Read by Mr. Ragan, moved by Mr. Piotrowski, seconded by Mr. Smith and carried by the following vote: Yes: Neiberlein, Schneider, Piotrowski, Smith, VanSchoick and King. Abstained: Mrs. Wagner

VARIANCE APPLICATION 1-81 VINCENT PERRELLA - 72 TAYLOR AVENUE

Micheal Force attorney representing Mr. and Mrs. Perrella requested a continuance of hearing until next regular meeting because one notice to property owner was omitted in error.

Motion made by Mr. VanSchoick to continue Public Hearing until the next regular meeting on February 17, 1981 without the need for any additional notice, except to the person that was omitted. Seconded by Mr. Schneider and carried by unanimous vote. Mr. King asked if there were any interested parties in audience. There were none.

VARIANCE APPLICATION 2-81 - DOMBEL AND MANFRE-74 OCEAN AVE.

Mr. Dombel was sworn in by Mr. Ragan and the following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
- A-2 Notice of Appeal and Variance Form (2 pgs.)
- A-3 Addendum to Variance App. and two picture pages (4 pgs.)
- A-4 List of Property Owners (2 pgs.)
- A-5 Notice of Hearing to property owners & letter of 12-24-80
- A-6 Plot Sketch - December 1980
- A-7 Affidavit of mailing of notices
- A-8 Affidavit of Publication
- A-9 Plans - Dated Dec. 6, 1980 (5 pgs)

Mr. Dombel stated that the house in question was an existing two family dwelling; that the house has existed as a two family dwelling for at least forty years; that when the house was built it was at least three feet below grade causing flooding during periods of high tide. Mr. Dombel said that using the existing foundation, they would like to raise house 18 to 24" above grade to prevent flooding. They would reduce upstairs dwelling from a four bedroom dwelling to a 3 bedroom dwelling. They would like to renovate the complete interior and the total exterior of house including new windows that will comply with the codes. That all renovations will be contained in the present building, no new additions. Mr. Dombel further stated that there were four other non conforming uses within 200 feet and seven other nonconforming uses on other side of street.

APPLICATION 2-81 CONTINUED

Pays two water and sewer charges and will use house part of time for personal use. Mr. Manfre will do same.

Objectors

Mrs. Marilyn Chapman - 86 Ocean Avenue
Mrs. Therman 83 Ocean Avenue

Mr. VanSchoick made motion to have a site inspection at 9a.m. on Saturday February 14, 1981 and continue Public Hearing until next regular meeting on Feb. 17, 1981 without the need for further notice. Seconded by Mr. Piotrowski and carried by unanimous vote.

VARIANCE APPLICATION 3-81-GAMMON TECHNICAL PRODUCTS INC. 235 PARKER AVE.
Richard Venino , attorney representing the Gammons. The following exhibits were marked into evidence:

- A-1 Letter of Deniel from Construction Official
- A-2 Notice of Appeal and Variance Application
- A-3 List of Property Owners (3 pgs.)
- A-4 Site Plan dated 12-31-80 and proposed addition
- A-5 Architects plans dated 11-13-80 (3 pgs.)
- A-6

Orginial Affidavit of Service will be marked subsequently as part of Original file.

Mr. Venino called Mr. Gammon, he gave his name and address as Howard M. Gammon-500 Brielle Road, Manasquan, N.J. Mr. Gammon said that he and his wife owned property in question.

Mr. Venino said that this was a three fold application; use variance; minor sub division and site plan approval. Mr. Venino said that Mr. Gammon owned 200' feet of property although on site plan only 150' was shown. The other 50' of property was the section for which they were applying for sub division.

Mr. Gammon stated that the new building would made it possible to store equipment entirely inside, the proposed new building would be located at the rear of building, 60' in depth and 90' wide. It would be joined to rear of existing building with a covered walkway. That it was their intention to repave entire parking lot. That there is no noise or odor no smoke or dust. There is no painting done on premises. They buy componets and assemble. They do not create waste, do not use water in any process and use very little electricity.

Peter Iorio was sworn in by Mr. Ragan and gave his address as 2131 Millburn Rd., Sea Girt, N.J. Mr. Iorio said he was a buildier for 40 years Mr. Iorio said that the building would be 60' wide and 97' long. It would be connected to existing building. Roof line is single stoop building with ¼ inch pitch from rear to front. Purpose is to drain water into leaders and gutters. Building would be ridget frame with columns and beams 25' on center. Roof material would be double lock seam metal facier, fully insulated. side walls are 26inch metal rib panels attached to girders. The building will meet all requirements of Building Code and the Codes of the Borough of Manasquan. The new building will be heated with suspended induvidual gas heaters.

No objectors in audience.

Mr. Ragan swore in Author Dunham, 130 Barketh Ave., Avon, N.J. Mr. Venino said that it was his intention to use Mr. Dunham as an Real Estate Expert.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING JANUARY 14, 1981 CON'T.

Mr. Dunham said he was a graduate of Seton Hall University, candidate for Master's Degree at Rutgers in Industrial and Business. That he has taken courses in Municipal Planning at Brookdale College & Appraisal at Maryland University and various other courses. And received G.R.I. a designation from the National Board of Realtors. Said he had testified at Belmar, Bradley Beach, Sea Girt, etc.

Board accepted Mr. Dunham as an expert witness.

Mr. Dunham said he had made an inspection of property in question and also other properties in area. He said that it was one of the cleanest plants he had ever inspected. All equipment and parts were in good storage locations. No odors, no noise, no machinery operation at all. As a result of what he saw going up and down street and what he saw upon inspection of G. mmon, he felt it would not be a detriment to Public good. In fact he felt it would upgrade property.

Estimated cost of improvements would be in the area of \$145,000 without including cost of black top.

Mr. King recommended that some kind of underground storm drain be provided.

Mr. Venino said that they would ask engineer to draw diagram with some solution to problem.

Mr. Piotrowski made motion to have a site inspection and continue Public Hearing until next regular meeting on February 17, 1981. Seconded by Mr. Schneider and carried by unanimous vote.

RESOLUTION A-81 CHAIRMAN

Mr. VanSchoick offered resolution, seconded by Mr. Schneider and carried by unanimous vote.

RESOLUTION B-81 VICE CHAIRMAN

Mr. Schneider made motion seconded by Mr. Piotrowski and carried by unanimous vote.

RESOLUTION C-81 MEETING DATE

Resolution moved by Mr. Schneider, seconded by Mr. VanSchoick and carried by unanimous vote.

RESOLUTION D-81 OFFICIAL NEWSPAPERS

RESOLUTION moved by Mr. Piotrowski seconded by Mr. VanSchoick and carried by unanimous vote.

RESOLUTION E-81 SECRETARY

Resolution moved by Mr. Schneider seconded by Mr. VanSchoick and carried by unanimous vote.

RESOLUTION F-81 ATTORNEY

Resolution moved by Mr. Piotrowski seconded by Mr. Smith and carried by unanimous vote.

Motion to adjourn by Mr. Piotrowski seconded by Mr. Schneider and carried by unanimous vote.

Jo-Ellen Brown, Sec'y

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - MARCH 17, 1981

MEMBERS PRESENT: Messrs. Russell Neiberlein, Ed Piotrowski, Kenny Schneider, Jim Smith, James VanSchoick, Ron Doles, Leonard Sullivan, Raymond King and Mrs. Evelyn Wagner

ABSENT: None

Meeting was called to order at 8:00 p.m with a roll call. Having a quorum present the Salute to the Flag was recited and Mr. King made an announcement that the meeting was 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.

Minutes of February 17, 1981 meeting were corrected to read Micheal Force instead of Robert Force. Minutes were then moved and seconded and carried by unanimous vote.

RESOLUTION 2-81 MANFRE AND DOMBLE

Resolution 2-81 was read by Mr. Ragan moved by Mr. Smith, seconded by Mr. Schneider and carried by the following vote: Yes: 7 No: none Abstained: 2.

1-81 VINCENT PERRELLA - APPLICATION 1-81 72 TAYLOR AVENUE CONTINUED

Members of Board had visited site on Saturday, March 14.

No objectors in audience.

Mr. Smith asked if a buffer zone would be put in. Mr. Perrella said that he didn't have money at present time but would put one in within a year.

RESOLUTION 1-81 VINCENT PERRELLA 72 TAYLOR AVENUE

Resolution 1-81 was read by Mr. Ragan moved by Mr. Smith, Seconded by Mr. Neiberlein. Carried by the following vote: Yes: Seven (7) No: (0) Zero Abstained: (2) two.

WILLIAM AND LILLIAN SMITH - 16 CHURCH STREET-APPLICATION 4-81 CONTINUED

Mr. Smith was sworn in by Mr. Ragan and gave his name and address as William Smith, 16 Church Street. The following exhibits were marked into evidence:

- A-8 Deniel from Construction Official dated February 20, 1981
- A-9 Affidavit of Publication, dated March 10, 1981
- A-10 Drawings by owner of First and Second floors and proposed first and second floor
- A-11 List of apartment uses

Mr. Smith said that he was seeking permission to convert his home to a two family dwelling. Smiths would like to have a one bedroom apartment on the second floor of present one family dwelling. Mr. Smith said that they have put a lot of work into house, i.e. refinished floors, restored woodwork, renovated kitchen, remodeled bathrooms, etc.

Motion was made and seconded to have a site inspection on April 18, at 9 a.m., without the need for any additional notice. Carried by unanimous vote.

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT CONTINUED MARCH 17, 1981

APPLICATION 5-81 BEN BIRCH 475 LONG AVENUE

Mr. Birch was sworn in by Mr. Ragan, gave his name and address as Ben Birch, 475 Long Avenue, Manasquan, New Jersey. The following exhibits were marked into evidence:

- A-1 Letter of Deniel from Construction Official
- A-2 Notice of Appeal and Variance Application (2 pages)
- A-3 List of Property owners (2 pages)
- A-4 Notice of Hearing to Property Owners
- A-5 Affidavit of Proof of Service and Publication with Affidavit of Publication from Coast Star
- A-6 Sketch of Proposed Construction
- A-7 Plot Plan

Mr. Birch said that it was his intention to add a full bath, master bedroom, and office to existing house. To continue same line of house and comply with 20 foot rear yard. That he had his three children living with him in two bedrooms; that Long avenue was his permanent home; that other houses in area have similar side yards.

No objectors in audience.

Mr. VanSchoick made motion to continue Public Hearing until next regular meeting and to have a site inspection on Saturday April 18, at 9:30 a.m. with no need for additional notice, seconded by Mr. Piotrowski and carried by unanimous vote.

Motion made and seconded to adjourn meeting. Carried by unanimous vote, at 9:45.

Jo-Ellen Brown
Sec'y Board of Adjustment

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - APRIL 21, 1981

MEMBERS PRESENT: Messrs. Ressel Neiberlein, Ed Piotrowski, Kenny Schneider, Jim Smith, James VanSchoick, Ron Doles, Leonard Sullivan, Raymond King and Mrs. Evelyn Wagner

ABSENT: NONE

Work session began at 7:30 p.m. with discussion of applications before Board.

Regular meeting was called to order at 8:00 p.m. with a roll call. The Salute to the Flag was recited and Mr. King made an announcement that the meeting 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.

Minutes of March 17, 1981 meeting were moved by Mr. Piotrowski, seconded by Mr. Schneider and carried by unanimous vote.

APPLICATION 4-81 - WM. AND LILLIAN SMITH-16 Church Street-CONTINUED
Members of Board had visited site on Saturday April 18.

Mr. Doles made statement that good and adequate reason had not been given to allow variance.

Motion was made to close public hearing by Mr. Piotrowski, seconded by Mr. Schneider and carried by unanimous vote.

Mr. Smith made motion to deny Smith application, seconded by Mr. Piotrowski and carried by the following vote; Yes: Mrs. Wagner, Messrs. Piotrowski, VanSchoick, Smith, Sullivan & King. No: Mr. Schneider. Abstained: Mr. Neiberlein.

APPLICATION 5-81 BEN BIRCH 475 LONG AVENUE CONTINUED

Board had visited site on Saturday April 18.

Mr. Schneider made motion to close Public Hearing seconded by Mr. Piotrowski and carried by unanimous vote.

Mr. VanSchoick made motion to grant variance seconded by Mr. Smith and carried by unanimous vote.

Mr. VanSchoick moved a Resolution seconded by Mr. Smith to approve Mr. Birch's application to include all facts gathered at site inspection and facts testified to by Mr. Birch; that he would like to continue same line of house and comply with 20 foot rear yard; that Long Avenue was his permanent home; that other houses in area have similar side yards. That he understood that there was a 45 day waiting period after publication of Decision for someone to make an appeal.

APPLICATION 6-81-DENIS AND LOIS CAMPBELL/MAIN PHARMACY-149 MAIN ST.

Thomas C. Brown, attorney for Mr. and Mrs. Campbell

The following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
- A-2 Notice of Appeal and Variance Application
- A-3 List of Property Owners with white receipts
- A-4 Notice of Hearing to Property Owners
- A-5 Affidavit of Service
- A-6 Affidavit of Publication to Asbury Park Press
- A-7 Survey of Property dated 4-9-81 by Ferry

Mr. Brown said that Mr. Campbell would like to enclose the existing porch. He would remove the existing iron railing and enclose steps. That there was no additional space to obtain, to comply with 10' side yard.

REGULAR MEETING MANASOUAN BOARD OF ADJUSTMENT APRIL 21, 1981 CON'T

Mr. Campbell was sworn in by Mr. Blenkenhorn. Mr. Campbell said that when the wind blew it knocked down merchandise and made his employees cold.

Mr. Campbell will bring in plans for next meeting.

No objectors in audience.

Motion was made by Mr. Neiberlein to continue Public Hearing until next regular meeting on May 19, seconded by Mr. Schneider and carried by unanimous vote.

Letter from Construction Official, Dan Miller, was read by Mr. King concerning Gammon Technical Products parking spaces. Motion was made by Mr. VanSchoick and seconded by Mr. Smith to allow the removal of the five parking spaces at Gammon, from site plan. Carried by unanimous vote.

Motion made by Mr. Neiberlein, seconded by Mr. Smith to adjourn meeting. Carried by unanimous vote.

Meeting adjourned at 8:30 p.m.

Jo-Ellen Brown

MEMBERS PRESENT: Messrs. Neiberlein, Schneider, Van Schoick, Smith, King Sullivan and Mrs. Wagner.

Absent: Messers. Piotrowski and Doles.

The meeting was called to order by Mr. King at 8:10 pm. Having a quorum present the salute to the flag was recited and Mr. King made an announcement that the meeting was 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.

Minutes of the August 18, 1981 meeting were moved by Mr. Van Schoick and seconded by Mrs. Wagner. A correction of the minutes were made, Mr. Van Schoick conducted the meeting not Mr. King.

The Board voted, unanimously, for a 11:00 p.m. time limit on the meeting.

Resolution 8-81, Eugene and Janet Keil, was read by Mr. Ragan, moved by Mr. VanSchoick, seconded by Mr. Smith and was carried by the following vote: Yes; Messers. Neiberlein, Schneider, Van Schoick, Smith, King, and Mrs. Wagner. Abstained; Mr. Sullivan.

Resolution 11-81, Frederick Leggett, was read by Mr. Ragan, moved by Mr. Van Schoick and seconded by Mr. Neiberlein. The resolution was carried by the following vote: Unanimously.

APPLICATION 10-81 - Thomas Alu, Joseph Alu, Marie A. Cortese & Antoinette Frasco - 432 & 432½ E. Main St., Continued

Mr. Joseph Alu, was under oath from the August 18, 1981 meeting. Site inspection was made August 22nd by the Board, but not all members saw the inside of the house. Mr. King asked Mr. Alu, if he would remove the second kitchen, he refused. The members pointed out that although there was no additional floor space being added, there would be additional cubic feet. The Board then asked Mr. Alu to close up the second floor entrance, he refused, stating he wished the house to remain exactly the way it was. It was also noted that you must go outside to gain access to the second floor. Mr. King closed the meeting to the Public and a discussion of the case was held among the board members. Again, Mr. Alu was asked to remove the second kitchen and revise the entrance, he refused. The board voted to have a second visual inspection and asked Mr. Alu to waive the 120 day time limit, he agreed. Inspection was set for September 19, 1981 at 10:30 a.m. *reopened appl.*

APPLICATION 12-81 - Frank B. & June S. Diana - 401 First Avenue
NO OBJECTORS PRESENT

The following exhibits were entered into evidence:

- A-1 Denial from Construction Official
- A-2 Notice of appeal and variance application
- A-3 Notice of hearing to Property owners.
- A-4 Affidavit of Proof of Service
- A-5 Survey of Property
- A-6 Front floor plan
- A-7 Right side plan
- A-8 Pictures of East side of First Avenue
- A-9 Pictures of West side of First Avenue
- A-10 Pictures of Front Line setbacks.
- A-11 Letter from American Timber approving addition.

Mr. Diana was sworn in and stated he resided at 1600 Field Avenue, So. Plainfield, N. J. He wants to add one bedroom, one bath and enlarge the living room and dining room. He and his wife plan to retire to Manasquan. Mr. Diana took measurements of eight houses in the vicinity and all were non-conforming in side yard and front yard requirements. Mr. Diana also stated he paid land rent on the vacant lot adjoining his property on the north side. He has 5 parking spaces for cars in the rear. They will not be lost with the addition. Mr. King asked for comments from the audience and William Smith, First Ave.; Sam Blair, First Avenue; and Gary Davis, Beachfront, spoke in favor of the addition. Mr. King closed the public meeting. James Smith moved for a favorable resolution, seconded by Mr. Sullivan and carried by the following vote: yes; unanimously

Application 13-81 - Arthur & Patricia Maxwell - 49 Stockton Lake Blvd.

Mr. Ragan marked the required documents into evidence.
Mr. & Mrs. Maxwell were sworn in, and stated they resided at 275 Pine Avenue, Manasquan. They requested a variance to build a 17½' addition on the rear of 49 Stockton Lake Blvd. It would consist of a family room and open deck. Presently the house, a ranch style, has 3 bedrooms, 2 baths, living room, dining room, kitchen and basement, with an open porch at the front. The board questioned them about acquiring extra land or making the addition smaller to conform to the rear yard requirements. Mrs. Maxwell replied that it would make the property uneven if they purchased additional land and to make the room dimensions smaller would narrow the room beyond usefulness. Mr. King asked if there were any objectors. Mrs. Trudy Walsh asked to be heard and stated she lived at 45 Stockton Lake Blvd. Mrs. Walsh presented pictures (marked into evidence as W-1) showing how her backyard was closed in on three sides by adjoining houses. She contends that the proposed addition at 49 Stockton Lake Blvd, would completely block her vision and air. Mrs. Walsh suggested possible use of the porch or basement as the family room. Mr. Sullivan moved for a site inspection, seconded by Mr. Neiberlein and carried by the following vote: yes; Messrs. Neiberlein, Schneider, VanSchoick, King, Sullivan and Mrs. Wagner. No; James Smith. Inspection was arranged for Sept. 19, 1981 at 11:00 a.m.

Application 14-81 - Edward J. & Eleanor Dadson, 25 First Avenue

Mr. Ragan marked the required documents into evidence.
Mr. Dadson was sworn in and stated he resided at 98 W. 32nd Street, Bayonne, N. J. Mr. Dadson explained to the board that he wanted to demolish the house at 25 First Avenue, Manasquan, and construct a new two family. His daughter and son-in-law would live there permanently and he, his wife and son would use the second apartment during the summer months. James Smith, reminded Mr. Dadson, that the proposed house violated the zoning code and the board must think of future problems presented by two family houses in the area. Mr. King asked if anyone in the audience would like to comment. Davis Geortner of 45 First Avenue, asked to read a letter signed by sixteen neighbors, opposing the two family house, and stating their objections. Mr. Ragan marked the letters into evidence, after they were read. Mr. VanSchoick moved to deny the variance, seconded by Mr. Smith and carried by the following vote: yes; Unanimously.

Application 15-81 - Robert & Alice Grunder, 14 Pearce Court

Mr. Ragan marked the required documents into evidence.
NO OBJECTORS PRESENT
Mr. & Mrs. Grunder were sworn in and stated they resided at 6 Roselle Avenue, Cranford, N. J. and used 14 Pearce Court for a summer home. They would like to construct an addition with two bedrooms on the street side of the house. Presently, they have three bedrooms, kitchen, living room and bath. They propose to delete one bedroom to enlarge the living room. When the work is finished they will have 3 bedrooms, large living room, kitchen and bath. The addition would eliminate 2 of the 6 parking spaces. Mr. Grunder noted that the addition would conform to other houses in the area, he presented a letter from Mrs. Antoinette Nigra giving her approval of the proposed addition. Mr. Grunder then asked the board for a favorable decision without a visual inspection, as he was anxious to start building. Mr. King explained that it is sometimes necessary for the board to site inspect, to make sure they are visualizing the property correctly. Mr. Schneider moved for inspection seconded by Mr. Sullivan and carried unanimously. The inspection date was made for Sept. 19, 1981, at 11:30 a. m.

Meeting was adjourned at 10:15 p.m.


Margaret D. Kazenmayer
Secretary to the Board

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - October 20, 1981

MEMBERS PRESENT: Messrs. Neiberlein, VanSchoick, Smith, King, Doles, Sullivan and Mrs. Wagner.

Absent: Messrs. Schneider and Piotrowski

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the September 15, 1981 meeting were moved by James Smith and seconded by Evelyn Wagner and carried by the following vote: yes; Messrs. Neiberlein, VanSchoick, Smith, King, Sullivan and Mrs. Wagner. abstain; Mr Doles.

Resolution 12-81 - Frank B. and June S. Diana was read by Mr. Ragan, moved by Mr. Smith, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Neiberlein, VanSchoick, Smith, King, Sullivan and Mrs. Wagner. abstain; Mr. Doles.

Resolution 14-81 - Edward and Eleanor Dadson was read by Mr. Ragan, moved by Mr. Van Schoick, seconded by Mr. Sullivan and carried by the following vote: yes; Messrs. Neiberlein, VanSchoick, Smith, King, Sullivan and Mrs. Wagner. abstain; Mr. Doles.

Application 10-81 Continued - Thomas Alu, Joseph Alu, Marie A. Cortese & Antoinette Frasco - 432 & 432½ E. Main Street

Mr. O'Brien, Attorney - No Objectors Present

Mr. O'Brien reviewed the application briefly. He made note of the fact that Mr. Alu, just wanted to make the house more habitable. He was not trying to make a two family, the building would have the same use as before. Mr. O'Brien called the expansion negligible. Mrs. Marie Alu Cortese was sworn in. She stated that the upstairs had been rented during the winter of 1979 or 1980 and a certificate of occupancy had been issued. Mr. King asked Mr. Alu how much the expansion would cost, Mr. Alu said \$15,000. Mr. King said he did not consider that negligible. During the second site inspection it was noted that the decor on the second floor was for a rental, where the decorating on the first floor was much nicer. Mrs. Bannigan, Euclid Avenue, spoke in favor of granting the application for a two family house. Mr. King closed the public meeting and the board discussed the case. Mr. Smith moved to deny the application, seconded by Mrs. Wagner and voted on as follows: yes; Messrs. Smith, King and Mrs. Wagner. no; Messrs. Neiberlein, VanSchoick and Sullivan. Abstain; Mr. Doles. Because of the tie vote, it was voted to continue the case next month (November 17th). Mr. Alu waived the 120 day time limit on the decision.

Application 13-81 - Continued - Arthur & Patricia Maxwell

NO OBJECTORS PRESENT

Mrs. Wagner reported on the site inspection. She felt that Mrs. Trudy Walsh, (objector at the Sept. 15th meeting) would have more light and air because Mr. & Mrs. Maxwell were removing a tree and fence, when they put on the addition. Mr. Smith asked the Maxwell's if they had tried to get additional land from their neighbor to the rear. They had not. Mr. Ragan pointed out that taking land from a neighbor might also make the adjoining property non-conforming. The meeting was closed and Mr. VanSchoick moved to grant the variance, seconded by Mr. Sullivan and carried by the following vote: yes; Messrs. Van Schoick, Smith, King, Sullivan and Mrs. Wagner. Abstain; Messrs. Neiberlein and Doles.

Application 15-81 - Continued - Robert & Alice Grunder

NO OBJECTORS PRESENT

Site inspection was made on Sept. 19th, and the board was favorably impressed with the proposed addition. Mr. King closed the meeting and Mr. Sullivan moved to grant the variance, seconded by Mr. VanSchoick and carried by the following vote: yes; Messrs. Neiberlein, VanSchoick, Smith, King, Sullivan and Mrs. Wagner. Abstained; Mr. Doles. Mr. Grunder asked the board to vote on the resolution tonight. Mr. King explained the favorable resolution must be presented to the board and voted on at the next meeting. The resolution must also be presented to the Construction Official before a building permit would be issued.

Application 16-81 - Ruth S. Hersh - 100 McLean Avenue

Mrs. Hersh was sworn in by Mr. Ragan. Mr. Ragan marked the following exhibits into evidence:

A-1 Denial by Construction Official

- A-2 Notice of Appeal and Variance Application Form
- A-3 Notice of Hearing to property owners
- A-4 Affidavit of proof of service and publication of public notice
- A-5 Survey of property

Mrs. Hersh modified her original request. Instead of renting three rooms and a bath on the second floor, she wishes to rent one room on the first floor only. She testified that she would like to rent to an elderly, retired lady, so she will not have to live alone. She has been afraid since someone tried to break in across the street. Mrs. Hersh said she has a living room, dining room, kitchen, pantry, bathroom and two bedrooms on the first floor. There are three bedrooms and a bath on the second floor. No construction would be involved.

Mr. Doles asked if the board considered applications where there was no physical change to the property? Mr. Ragan replied that the Construction Official was correct to refer the applicant to the board, when changing from a permitted use (one family residential) to a non-permitted or expanded use (rooming house).

Charle Hupp, 85 McClellen, objected to the application. He said, if rent is paid, it is a rooming house. Also, once you rent one room, what is to stop you from renting two or three? D. J. Thibeault, 109 McLean Avenue objected. He stated that many people on the street live alone, what if they all decided to rent rooms? Doris Ridley, 165 Stockton Lake Blvd., and Beatrice Erhart, 75 McClellen, also objected to the application. They both stated it would bring transients into the neighborhood, and cause more problems for the residents. Mrs. Theresa Bannigan, Euclid Avenue, spoke in favor of the application.

Mr. Doles asked the board to consider the question; "Does the individual have the right to share living space with another?" i.e., two bachelors, two sisters, two cousins, two friends, etc. "Is this considered paying rent or sharing expenses?" Mr. Doles does not believe the board should have this application before it.

Mr. Smith agreed with the points taken by the audience. He thinks the variance should be voted against, unless our attorney rules it should not be before the board.

Mr. King asked Mr. Ragan to research the question and Mr. Sullivan moved that the hearing be continued on Nov. 17th, seconded by Mrs. Wagner, and carried by the following vote: yes; Messrs. Neiberlein, Smith, King, Doles, Sullivan & Mrs. Wagner. Abstained; Mr. Van Schoick.

New Business: Mr. Ragan announced he received an invitation for the Board of Adjustment members to attend a special public meeting, December 3, 1981. The topic of discussion will be the Fisherman's Cove question.

Informal discussion: Mr. Grunder asked to speak to the Board again, concerning his application. He asked the board to write the resolution tonight, so he could proceed with his addition before the cold weather sets in. Mr. Ragan responded that on occasion the Board had adopted an oral resolution, but it would still have to be memorialized and it would not be binding until memorialization. Mr. Ragan suggested a special meeting. Mr. King said Mayor and Council had asked them to refrain from special meetings because of the cost. Mr. Sullivan moved for a recess, seconded by Mr. Smith.

Roll was called after the recess.

Mr. King informed Mr. Grunder, after he had polled the board, that they would not hold a special meeting. Mr. Doles stated he did not think it was advisable to rush Mr. Ragan into writing the resolution that night; mistakes could be made that would be harmful to the board and also Mr. Grunder. The Board agreed to wait until the next meeting for the written resolution. Mr. Grunder indicated he was very unhappy with this decision.

Margaret D. Kazemayer
Margaret D. Kazemayer,
Secretary to the Board
of Adjustment

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - July 21, 1981

MEMBERS PRESENT: Russell Neiberlein, Ed Piotrowski, Kenny Schenider, James P. VanSchoick, C. Raymond King, Evelyn Wagner, and Ronald Doles.

ABSENT: Jim Smith and Leonard Sullivan

Work session began at 7:30 p.m. with discussion of applications before the board.

Regular meeting was called to order at 8:00 p.m. with a roll call. The Salute to the Flag was recited and Mr. King made an announcement that the meeting 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.

Minutes of the May 19, 1981 meeting were moved by Mr. Vanschoick, seconded by Mr. Doles and carried by unanimous vote.

NO AUDIENCE

RESOLUTION - 6-81 - Denis and Lois Campbell/Main Pharmacy - 149 Main St.
MEMORIALIZED

Resolution 6-81 was read by Attorney Ragan, moved by Mr. Vanschoick, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Neiberlein, Piotrowski, Vanschoick, King, Doles, and Mrs. Wagner. Abstained: Mr. Schenider.

APPLICATION 8-81 - EUGENE AND JANET KEIL - 205 Third Avenue

The following exhibits were marked into evidence:

- A-1 - Letter of denial from Construction Official
- A-2 - Affidavit of publication
- A-3 - Notice of Property owners
- A-4 - List of Property Owners
- A-5 - Affidavit of Proof of Service
- A-6 - Notice of Appeal Variance Application
- A-7 - Five pages of drawings and survey
- A-8 - Pictures of House

Mr. Keil was sworn in and stated he resided at 205 Third Avenue. He explained that he wanted to raise the roof over his kitchen and build a bedroom. The rest of the attic will be used for storage. They need the bedroom for their two daughters. There is only one bedroom on the premises now. The proposed bedroom would measure 20' x 10'. It was moved by Mr. Piotrowski, that a visual inspection be made and seconded by Mrs. Wagner, and carried by the following vote: yes; Messrs. Neiberlein, Piotrowski, Schenider, Vanschoick, King, Doles, and Mrs. Wagner. The inspection was agreed on for July 25, 1981.

The Board accepted JoEllen Brown's verbal resignation and Mr. King thanked her for the many services she performed for the Board.

Mr. Van Schoick, moved Margaret Kazenmayer be appointed the new Board of Adjustment Secretary, seconded by Mr. Schneider and carried by an unanimous vote.

Meeting adjourned at 8:30 p.m.


JoEllen Brown, Secretary

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT - August 18, 1981

MEMBERS PRESENT: Messrs. Russell Neiberlein, Ed Piotrowski, Jim Smith, James VanSchoick, Ron Doles, Leonard Sullivan, and Mrs. Evelyn Wagner

ABSENT: C. Raymond King and Kenneth Schneider

The meeting was called to order at 8:00 p.m. with a roll call. ^{VAN SCHOICK} Having a quorum present the Salute to the Flag was recited and ~~Mr. King~~ made an announcement that the meeting was 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.

Minutes of the July 21, 1981 meeting were moved by James Smith and seconded by Russell Neiberlein and carried by the following vote: yes; Russell Neiberlein, Ed Piotrowski, James P. VanSchoick, James Smith, Evelyn Wagner, Ronald Doles and Leonard Sullivan. No; None

Resolution G-81 was read by Mr. Ragan, appointing Margaret Kazenmayer new Board Secretary. The resolution was moved by James Smith and seconded by Ed Piotrowski, and was carried by the following vote: yes; Russell Neiberlein Ed Piotrowski, James VanSchoick, James Smith, Evelyn Wagner, Ronald Doles and Leonard Sullivan. No: None.

RESOLUTION 8-81 - Eugene & Janet Keil, 205 Third Avenue - Con't

No objectors present

Mr. Piotrowski stated the Board members had made a visual inspection of the premises and moved that the members vote granting a favorable decision, seconded by James Smith and carried by the following vote: yes; Russell Neiberlein, Ed Piotrowski, James P. Vanschoick, James Smith, Evelyn Wagner Ronald Doles. No; none. Abstain: Leonard Sullivan. The record notes that James Smith listened to the tapes of the July 21, 1981 meeting.

Application 10-81 - Thomas Alu, Joseph Alu, Marie A. Cortese & Antoinette Frasco
432 & 432½ E. Main Street - Thomas O'Brien, Attorney

No objectors present

The following exhibits were marked as evidence:

- A-1 - Letter of denial from Construction Official
- A-2 - Notice of Appeal & Variance Application.
- A-3 - Survey of Property
- A-4 - Notice of Variance Hearing
- A-5 - Affidavit of Proof of Service
- A-6 - Affidavit of Proof of Publication
- A-7 - Blueprint showing addition
- A-8 - Copy of tax map showing property and surrounding properties.
- A-9 - Drawing showing front elevation.

Mr. Alu was sworn in and testified that he needed to construct second story dormers on the existing 1½ story frame dwelling for usable space. (head space) the floor space will not be enlarged. In answer to questions from the members, Mr. Alu, stated there were four rooms plus kitchen and bath on the first floor and 3 rooms plus kitchen and bath on the second floor. Entrance to the second floor can be gained without going through the first floor. Located at the rear of the property is a garage apartment, which is rented.

Mr. O'Brien, attorney for Mr. Alu, asked that Raymond P. Dinkledge, be sworn in. Mr. Dinkledge stated he was an architect from Wall Township, N. J. and had drawn the plans for Mr. Alu's addition. He also showed a copy of the tax map of the area, showing all houses in the vicinity are 1½ story homes. He also displayed a drawing showing the front elevation.

Con't

James Smith moved for a visual inspection of the premises, seconded by Mr. Wagner. The vote was as follows: Yes; Messers. Neiberlein, Piotrowski, Van Schoick, Smith and Mrs. Wagner. No; Messers Doles and Sullivan. A date was set for August 22, 1981.

Application 11-81 - Frederick Leggett- 220 Second Avenue

No objectors present

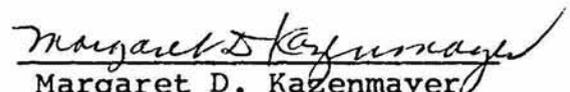
The following exhibits were marked into evidence:

- A-1 - Denial from Construction Official
- A-2 - Notice of Appeal & Variance application
- A-3 - Notice of Hearing
- A-4 - Proof of Service Affidavit
- A-5 - Survey of property
- A-6 - Affidavit of Publication

Mr. Leggett was sworn in by Mr. Ragan and stated he resided at 220 Second Avenue. He explained that the proposed addition (6'7" x 9'6") was needed off his kitchen for a washer and dryer. The washer and dryer are presently located in an unheated garage. Tom Pennella, 41 Pilot Dr., Toms River, N. J., builder, was sworn in and explained the small addition would allow the hot water heater to be removed from its present location, which is too near the kitchen sink. He will put in new plumbing and wiring. He also stated the present kitchen was only galley size or smaller. The addition will not interfere with the parking lot or the Sand Bar, located on the same property.

Russell Neiberlein moved to adopt a resolution granting the variance and accepting Mr. Leggett's testimony as fact, seconded by Mr. Sullivan and carried by the following vote; Messers. Neiberlein, Piotrowski, Van Schoick, Smith, Doles, Sullivan and Mrs. Wagner. The resolution will be memorialized at the next meeting, September 15, 1981. The Construction Official may issue the building permit.

Meeting adjourned at 9:02pm.


Margaret D. Kazenmayer
Secretary to the Board

MEMBERS PRESENT: Messrs. Neiberlein, Piotrowski, Schneider, Smith, King, Doles, Sullivan and Mrs. Wagner

ABSENT: Mr. Van Schoick

A-10
12/15/81 [Signature]

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the October 20, 1981, meeting were moved by James Smith, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Neiberlein, Piotrowski, Schneider, Smith, King, Doles, Sullivan and Mrs. Wagner.

Resolution 13-81 - Patricia Maxwell, was read by Mr. Ragan, moved by James Smith, seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Neiberlein, Piotrowski, Schneider, Smith, King, Sullivan and Mrs. Wagner. Abstained; Mr. Doles.

Resolution 15-81 - Robert and Alice Grunder, was read by Mr. Ragan, moved by James Smith seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Neiberlein, Schneider, Smith, King, Sullivan and Mrs. Wagner. Abstained: Messrs. Doles and Piotrowski.

Application 10-81 - Thomas Alu, Joseph Alu, Marie A. Cortese & Antoinette Frasco - 432 & 432½ E. Main Street
Thomas O'Brien, Attorney - NO OBJECTORS PRESENT

Mr. King asked Mr. O'Brien, if his client Mr. Alu, would accept Mr. Dole's vote. Mr. Doles had missed the second meeting of the hearing. Mr. Alu agreed. Mr. Doles moved to grant the variance, seconded by Mr. Sullivan, the voting was as follows: yes; Messrs. Neiberlein, Doles, Sullivan. no; Messrs. Schneider, Smith, King, and Mrs. Wagner. Abstained; Mr. Piotrowski.

Mr. Smith moved to deny the variance, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Schneider, Smith, King and Mrs. Wagner. No; Messrs. Neiberlein, Doles and Sullivan. Abstain; Mr. Piotrowski.

Application 16-81 - Ruth Hersh, 100 McLean Avenue

Mrs. Hersh asked the Board to withdraw her application. The Board agreed and James Smith moved to return her application fee, seconded by Ronald Doles, and carried by the following vote: yes; Messrs. Neiberlein, Schneider, Smith, King, Doles, Sullivan and Mrs. Wagner. Abstained; Mr. Piotrowski. Charles Hupp, 85 McClellan Avenue, asked the Board if our attorney had ruled on whether the application should be heard by the Board. He said many people had heard about the case and would assume it was alright to rent a room, unless the Board clarified the situation. Mr. King explained that the Board was not a policing body and Mr. Hupp would have to speak with Jerry Iannelli, Code Enforcement Officer.

Application 17-81 - 2534 Holding Company - BPOE Elks

Mr. Ragan asked if the Corporation attorney was present. Mr. Roger Knox, Trustee for the Holding Company, explained that their attorney could not be present. Mr. Ragan, advised Mr. King, that the Board could not hear the case without the Corporation attorney present. The application was postponed, by vote, until December 15, 1981. The Holding Company will not have to notify their neighbors again. For the record, it was announced to the audience that there were four Board members that were Elks and one member that belonged to the Auxilliary.

Application 18-81 - Adult Communities, Inc. - 200 Atlantic Avenue
(Property at Morris Avenue & Mount Lane)

Robert Wood, attorney for the Corporation presented the application. Principal owners are: Lynn Stuart, President and Lee Morton, Vice President.

Exhibits marked into evidence:

- A-1 Denial by Construction Official
- A-2 Notice of Appeal and Variance Application Form
- A-3 Notice of Hearing to Property Owners
- A-4 Affidavit of Proof of service and publication of public notice.

- A-5 Affidavit of Publication
- A-6 List of Property Owners to be served notice
- A-7 Brochure showing planned townhouse development
- A-8 Architectural plans of development
- A-9 Development map of area
- A-10 Booklet "Planning the Energy Efficient Community"
- A-11 7 pictures of area

Mr. Wood introduced Frank C. Hawk, III, Architect from Atlantic Highlands. He described the project as follows:

16 single family, attached units, consisting of three buildings, with off street parking for 42 cars. The site is below grade and would be filled. Estimated height of buildings would be 27 to 29 feet above grade level. Each building would have a 35 foot open area between. Square foot coverage of lot would be 17%, as opposed to 16% coverage for 9 single family, detached dwellings. The buildings will be frame construction, with a 6 foot stockade fence at the rear of property for screening. Swales will be constructed on the north and east sides of property to direct water into Glimmer Glass across the street. This will take care of all drainage in the area. Electric, gas, water, sewers and curbing will be supplied, as well as solar paneling. The buildings will be placed directly south, to take full advantage of the sun. Solar hot water will save 30% in energy use. It was noted that the required land for multi-family dwelling construction is two acres. The property in question has 1.34 acres.

Mr. Wood noted that the State of New Jersey has amended land use laws to promote energy conservation in housing (40:55D-2n). They have also amended lands use laws to recommend that Municipalities review their master plan every six years (40:55D-89c)

Marlene Lynch Ford, attorney from Point Pleasant Beach, asked to speak in behalf of her eight clients: Andrew and Madeline Kane, 121 Marcellus Avenue; James and Ruth Kurzna, 125 Marcellus Avenue; Eustace and Eileen Raulli, 130 Marcellus; Joseph Malloy, Jr., 133 Marcellus Avenue; Mildred Kelly, 134 Marcellus Avenue; Louise Krslovic, 137 Marcellus Avenue; Vivian Gearing, 141 Marcellus Avenue. Mrs. Ford pointed out that the proposed housing would be substantially different from houses already there. She also noted that multi-family housing should be on two acres and there was only 1.34 acres available (107-38 of the Manasquan Zoning Code). Mrs. Ford questioned the shading of houses on Marcellus Avenue. Mr. Hawk assured her that the buildings would not block the sun in any way. There would be zero shadow. The attorney also questioned if the property was in the Federal Flood Hazard zone. Mr. Hawk replied that he supposed the whole area was in the flood zone, but the swales would alleviate the problem. Mrs. Ford asked about flooding from the creek that runs next to the property. Mr. Hawk said he was not aware that the creek was affected by tidal flow.

Albert Bowers, III, Perrine Blvd., Vice President of the Manasquan Preservation Committee, voiced concern about algae in the Glimmer Glass from the run-off. He stated the problem exists from Brielle residents fertilizing their lawns, and when it rains it runs into the Glimmer Glass. Mr. Hawk replied he was not aware of an algae problem there.

Barbara Chas, Perrine Blvd., asked if the townhouses would be 29' above grade. Mr. Hawk answered yes.

Timothy McCreddie, 124 Morris Avenue, was concerned about overflow from rain. Mr. Hawk, again, assured him the swales would take the run-off from his property as well as the townhouses.

Eustace Raulli, 130 Marcellus Avenue, was concerned about traffic on route 71 and Morris Avenue. Said a traffic light would be necessary for school children's safety.

Michael Stauch, 120 Morris Avenue, wanted to know if guard rails and curbing would be installed and what direction the sewer lines will go. Mr. Hawk replied that curbing would be installed, but the engineering plans were not complete for the sewers, yet.

Lee Morton, Beacon Blvd. and Fourth Avenue, Sea Girt, N. J., was sworn in by Mr. Ragan. Under questioning Mr. Morton said he was a land developer and builder and he had built the tract of houses on Marlin Avenue, Manasquan, but had never built condominiums before. He said he wishes to build affordable townhouses, owned under a condo arrangement, as maintenance free as possible with zero recreation facilities. The townhouses will cost approximately \$87,000.00 They will feature 8 foot square solar panels located between the buildings. Mr. Piotrowski, asked about

maintenance costs. Mr. Morton replied they will be low, because of the low maintenance materials used. He was also asked if he built the modular home on Marcellus Avenue, he replied that he had, but would consider it a failure on today's market. When asked if investors would buy the townhouses, he replied no, because there were not enough bedrooms and the Association controls renting. There will be no age restrictions. He also noted that taxes on the townhouses would be \$28,000.00 and on 9 single homes it would be \$13,000.00. Mr. Morton would consider building 9 single homes with 3 or 4 bedrooms, if turned down by the Board. Speculators would be more likely to purchase a 3 or 4 bedroom house, because of new tax laws favoring that investment and because BOCA code limits the number of renters to the amount of bedroom space..

Mr. King asked how these townhouses will improve the neighborhood. Mr. Morton replied that they will raise home values by \$15,000.00, the exterior would be attractive and an improvement over the present condition of the lots. He also said that as energy gets more expensive the townhouses would be more valuable.

Leo Carling, Municipal Planner, from Fairhaven, N. J., was sworn in by Mr. Ragan. He testified that whether you had townhouses or single dwellings, the town services, number of occupants and traffic patterns would be the same. He feels there would be less children in the school with townhouses. He also feels that the multi-family zone should be extended to Morris Avenue from E. Virginia.

Mrs. Ford summed up the feelings of her clients as follows;

- Keep the integrity of the zoning in their neighborhood.
- Keep the pattern of single dwellings.
- Opposed to the increased traffic.
- Area is adjacent to conservation land.
- Drainage and flood problems.
- Manasquan as a developed Municipality should not change the zoning.
- Applicant did not show public good.
- Her clients chose to live in an area of single dwellings and should not have it changed.

Mrs. Ford asked that Mrs. Susan Malloy, be sworn in. Mrs. Malloy, testified that their attorney, Mrs. Marlene Lynch Ford, represented them correctly.

Mr. Wood summed up his case as follows:

- Amendment in regard to conserving energy.
- Pamphlet from Monmouth County Planning Board, supporting his clients position on multi-family dwellings as energy saving.
- Less Children in townhouses.
- It is housing that is in demand by some people.
- Townhouses are more affordable.
- These townhouses will not set a precedent, as this is the largest parcel of land left in an R-2 zone in Manasquan.
- No evidence that it is against the public good.
- Mr. Carling's expert testimony on planning.
- Mr. Hawk's expert testimony on plans.
- The Borough does not lose control of project, if variance granted, as Mr. Morton must still apply to the Planning Board.

Mr. Piotrowski moved to have site inspection, seconded by Mrs. Wagner and carried by the following vote: unanimously.

The inspection was set for 9 a.m.-November 21, 1981.

Old business: December 3, 1981 meeting to discuss future of Fisherman's Cove, sponsored by the Manasquan Preservation Committee. Eight members of the Board will attend.


Margaret Kazenmayer
Secretary to the Board

6th Annual League Conference Atlantic City Nov.18,1989 - 9:30 AM
Legal Aspects of Planning & Zoning - Consulting Period for Planning & Zoning Board members, as well as other Municipal Officials, to discuss special problems with some of our leading professionals and experienced lay planners.

Welcome by James G.Gilbert, President N.J.Federation Planning Officials.Member of Englewood Planning Board

Introduction: Helyn N.Beer, Executive Director, NJFPO

Presiding: Harry A.Maslow, T4as. NJFPO, Chairman Federation Program
Maslow, Miller, Holzman & Associates, Berkeley Heights

Moderator: William M.Cox, Municipal Attorney, Green, Hardyston, Lafayette & Stillwater, Federation General Counsel

Guest Speaker: Honorable Martin L.Haines, Judge, New Jersey Superior Court
Mount Holly "Responsibility & Personal Liability of Board Members" - A Court's Point of View

Panel Members: Fred G.Stickel, III, Attorney, Various Municipal Planning & Zoning Boards, Federation Association Counsel, Co-Chairman League Legislative Committee.

Daniel Bernstein, Attorney, Zoning Board, Berkeley Heights, Federation Associate Counsel

Harold Feinberg, Attorney, Asbury Park, Federation Associate Counsel

William Sutphin, Attorney, Princeton, Federation Associate Counsel

Robert F.Rogers, Attorney, Planning Board, Mt.Laurel, Federation Associate Counsel.

Judge Haines spoke above Civil Rights Act and how it affects us; the responsibility and liability of board members. Judge Haines cited various cases in front of the court now and urged all municipalities to have their attorneys review:

- a.All policies written and unwritten
- b.All procedures
- c.All administrative decisions should be redocumented

Judge advised that policy can be unconstitutional and you are liable. Have your attorney or legal department examine policies and procedures at least once a year. There are more Civil Right Cases pending in Federal Courts since enactment of Sec.1983 of Civil Rights Act in 1978. Presently over 12,397 cases.

Q. Can attorney fees be imposed on complaining party?

A. Yes, they can be awarded to municipality.

Q. How far can a board go for improvements before its considered "blackmail"?

A. No black and white answer. Board can set rules on roads - its public property. Look at increased traffic and what is existing on the road at present time - In any case it is incumbent on the municipality to have the engineer/planner go over case and make recommendations.

Q. May an ordinance be enacted in flood area for home occupancy use in non-conforming lot.

A. Site plan review is to cover those area not covered by subdivision or other municipal procedures. One procedure should be for flood; conditional use for home occupancy; non-conforming requires variance.

Q. Who pays for lawyer if zone or decision by board is unconstitutional?

A. Municipal ordinance should state what is going to be provided.

Q. Can an applicant submit into evidence a letter without writer present to be questioned by Board of Adjustment?

A. Do not believe the board can accept such a letter. The letter writer should be available for questioning by the Board. The letter does not have to be read either. If the Planning Board writes a letter to the Board of Adjustment giving their views, comments, etc., they should attend the meeting in case members of Board of Adjustment want to ask questions.

Same thing goes for petitions, DO NOT ACCEPT PETITIONS either, if no one is available for questioning.

Q. What legal affect does the 3 yr. preliminary and 2 yr approval for site/sub-division have. Is approval still valid if nothing has been ammended?

A. 3 year period can be extended by making application for preliminary extension.

Q. If you do not require curbs and after the time period pass an ordinance requiring same, is applicant protected by the old ordinance?

A. Statute states improvements that are protected. If period runs for preliminary approval and you haven't changed your ordinance, he still has approval. If new ord. passed regarding improvements and he hasn't come in for final yet, he has to conform to

Q. Could you have an ordinance which limits period of approval? New ordinance/

A. No this is provided by statute.

Q. If time periods run out does he come in for another preliminary approval. Statue reads unless final approval is obtained in time period, he has to reapply for preliminary.

Q. Does Planning Board have power to appeal a determination of the Board of Adjustment to the Mayor.

A. Appellate Court indicated a Planning Board had done this and the Board of Adjustment sued governing body of the town.

Q. Use Variance, Board meets once a month and need majority vote. Two of three members did not return as members after first of year, does the one remaining constitute majority?

A. Technically you would need 2 out of 3 in order to properly pass. Statute says only those that voted can vote on resolution. You have to get resolution out in 35 days.

... One per said hold application over til new reappointment made.

Q. Another said might need legislature to the effect the person sitting in on application stay seated till appliation reviewed and passed or refused

Q. If Board member owns property within 200' of applicant should he or she be excused.

Note: Several different opinions were voiced:

Q 1. ~~One panelist said yes~~ Question asked what if he doesn't want to be? Should the Board Exclude Him? If he refuses to leave you can force him to go into audience. If he still refuses, Suspend hearing.

2. Another panelist said he can go into audience and state his position.

3. Another panelist said he should not be in the room.

**The Following
Documents are
of
Poor Quality and
Can't be Filmed
any
Better**

Q. Can an Advisory Member of Planning serve as a Member of Zoning or Board of Adjustment?

A. Yes

Q. Townhouses permitted with density of 6 per acre and applicant wants 8 per acre is it C or D Variance? Do you go to Board of Adjustment or Planning Board?

A. Density relates to the condition of the land. With be D Var. Use - goes to Adjustment

Q. Can Board of Adjustment refuse to take jurisdiction?

A. Board must have a hearing to determine scope of project cannot ignore it.

Q. Applicant wants to expand building. Building does not set back far enough. Applicant wants to add 2nd floor and window dormer. Does applicant need variance?

A. If original building is non-conforming and you wish to put up conforming addition, no variance is needed,

Q. Should Board of Adjustment refer Use Var/Site. to Planning Board? Board of Adjustment does not have Engineer or Consultant - applicant has an engineer?

A. Use Variance is legislated by Governing Board. Land Use Act requires hearing before two different Boards. Board Adjustment should circulate variance to Planning Board, Boro Engineer, Police. Get their reports. You don't need personal appearances,

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - July 14,
1982

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider, James Smith, James Van Schoick, Evelyn Wagner, C. Raymond King & Samuel Yatter.

ABSENT: Ronald Doles

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King, made an announcement the meeting was 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.

Minutes of the June 9, 1982 meeting were moved by Mr. Sullivan, seconded by Mr. Smith and carried by the following vote: unanimously.

Resolution 3-82 - Wilbur Moore, 18 Pearce Avenue was read by Mr. Genz, moved by Mr. VanSchoick, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Piotrowski, Smith VanSchoick, King, Yatter and Mrs. Wagner. Abstain; Messrs Sullivan, Schneider.

Application 6-82 - John & Donna Trengrove - 88 Parker Avenue

The following exhibits were entered into evidence:

1. Denial from Construction Official
2. Notice of Appeal and Variance Application Form.
3. List of Property Owners to be served notice.
4. Notice of hearing to property owners.
5. Affidavit of proof of service.
6. Affidavit of publication.
7. Survey of property.
8. Survey of property showing pool.
9. Six pictures of the above ground pool.

Mr. Trengrove was sworn in, and testified that he was unaware of the ordinance requiring a building permit for an above ground pool. When it was brought to his attention, he immediately applied to the Board for a variance. Replying to questions from the board, Mr. Trengrove said the yard was fenced in on one side (north), but the sides of the pool were over 4' high. The pool is covered during the winter. The rear yard adjoins the Ritz Bakery property, the north side of the pool is two feet from the neighbors property line and his driveway is to the south edge of the pool. The driveway is the reason the pool is off center toward his neighbor. The board voted for a site inspection for Saturday July 17th.

Other Business: Mr. King read a letter from Mayor and Council requesting the board members attend the next council meeting to discuss the fees the board charged. Mr. King asked the Secretary to write a letter to Mayor and Council saying they would be present.

submitted by,


Margaret Kazenmayer
Secretary to the Board.

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - August 11, 1982

MEMBERS PRESENT: Kenneth Schneider, James Van Schoick, Evelyn Wagner, C. Raymond King, Sam Yatter.

ABSENT: Leonard Sullivan, Ed Piotrowski, James Smith, Ronald Doles.

The meeting was called to order at 8:00 p.m. By Mr. King. Having a quorum present the salute to the flag was recited and Mr. King, made an announcement the meeting was 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.

Minutes of the July 14, 1982 meeting were moved by James Van Schoick, seconded by Kenneth Schneider and carried by the following vote: unanimously.

Application 6-82 - John & Donna Trengrove - 88 Parker Avenue - cont'd

The board members commented on the site inspection of July 17th. Mr. Van Schoick noted that the pool should be safeguarded by a fence on the north side and also on the driveway. Mr. King noted that the pool could not be placed on the property any other way and also stated that there was not property available to purchase. Mr. Schneider moved to close the Public meeting, seconded by Mr. Yatter and carried by the following vote: unanimously. Mr. Schneider moved to draw a favorable resolution seconded by Mrs. Wagner and carried by the following vote; unanimously.

Old business: The board members discussed the Mayor & Council request for lower application fees. All members expressed the desire to keep the present fees, but instructed the Secretary to canvass surrounding townships for comparison.

Mr. Ragan was instructed to research the Construction Official's letter of July 27th, concerning signs. Mr. Ragan said he will give guidelines and define "abandonment" and try to clarify the meaning of the code, but each case would have to be judged on its own.

Adjourned at 8:30 p.m.


Secretary to the
Zoning Board of
Adjustment

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider, James Smith, James VanSchoick, Evelyn Wagner, Raymond King Samuel Yatter.

ABSENT: Ronald Doles

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the November 10th meeting were moved by Leonard Sullivan and seconded by Kenneth Schneider and carried unanimously.

Resolution 7-82 - Alfred Schneider - was read by Mr. Ragan, moved by Edward Piotrowski, seconded by Kenneth Schneider and carried by the following vote: yes; L. Sullivan, E. Piotrowski, K. Schneider, E. Wagner, C.R. King & S. Yatter. Abstain; James Smith & James Van Schoick.

Application 9-82 - Wm. Paynton - 181 Beachfront - Cont'd

The Board thought the question of setback of Mr. Paynton's house was settled at the site inspection, but Mr. Paynton submitted a revised plan at the meeting. Mr. Paynton said after the site inspection he had paced the property off again, and decided he couldn't live with the demands of Mr. Keefe and the requirements the board was imposing. He feels that Mr. Keefe made the decision to setback so far, and he, Mr. Paynton, shouldn't have to conform to that setback.

Mr. Veeder, Mr. Paynton's builder was sworn in and testified that Mr. Bresnahan was satisfied with the new plan as long as the house would not block their bedroom window. Mr. Veeder assured it would not. However, Mr. Keefe could not be present at the meeting, so Board hesitated to make changes without his knowledge, especially because the new plan would place the new house forward of Mr. Keefe's.

Mr. King suggested another site inspection, with stakes, and asked the secretary to inform Mr. Bresnahan and Mr. Keefe so they could be present. The site inspection was made for December 18th at 9 a.m.

Mr. Smith, at the November meeting, requested a favorable resolution be drawn and ready to vote on at the December meeting. Mr. Smith withdrew this request, because of the change in plans.

Old business: The Board discussed changing the meeting night from the 2nd Wednesday to the 3rd Wednesday, all were agreeable.


Margaret D. Kazenmayer
Secretary

• REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - January 19, 1982

MEMBERS PRESENT: Messrs. Schneider, Smith, Van Schoick, King, Sullivan, Doles, Yatter, and Mrs. Wagner.

ABSENT: Edward Piotrowski

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the December 15, 1981 meeting were moved by James Smith and seconded by Leonard Sullivan and carried by the following vote; Messrs. Schneider, Smith, Van Schoick, King, Sullivan, Doles, and Mrs. Wagner. Abstained: Samuel Yatter.

The Secretary swore in the following members: Ronald Doles, Samuel Yatter, C. Raymond King and Leonard Sullivan.

Resolutions A,B,C,D,E,and F were moved by Kenneth Schneider and seconded by James Smith and carried by an unanimous vote. The reading of the resolutions was waived by Douglas Hanna in the audience.

Resolution 18-81 - Adult Communities, Inc. - 200 Atlantic Avenue, Manasquan was read by Mr. Ragan, moved by James Smith and seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Schneider, Smith King, Sullivan, Doles and Mrs. Wagner. Abstained: James Van Schoick.

Application 19-81 - Postponed until February 10th meeting - application not complete. Tim's Manasquan Auto - 226 Highway #71

Application 17-81 - 2534 Holding Co. (BPOE Elks) 17 Stockton Lake Blvd. Douglas B. Hanna, Attorney, Alfred Dompieri, Exalted Ruler

The members discussed the site inspection of December 19th and recommended the following:

Gas pump be removed - Fire Inspector to decide on gas tanks.

Parking area to be lined.

House to be used for executive meetings only - cannot be rented.

No egress will allowed on to Colby Avenue and a fixed barrier will be erected. This will be a Deed restriction.

Mr. Hanna will send a copy of the Deed, before it is executed, to Mr. Ragan. Mr. King closed the Public Meeting. Mr. Van Schoick moved to grant the variance, seconded by Mr. Schneider and carried by the following vote: yes; Messrs. Schneider, Smith, Van Schoick, King, Sullivan, Doles and Mrs. Wagner.

Application 20-81 - Manasquan Lumber & Hardware Co. - 233 E. Main St. John Wooley, Attorney - Douglas Schaefer, Vice-Pres.

The following exhibits were marked into evidence:

- A-1 - Denial of Construction Official
- A-2 - Notice of Appeal and Variance Application
- A-3 - Affidavit of Publication
- A-4 - Notice of Hearing to Property Owners
- A-5 - List of Property Owners to be Served
- A-6 - Plot Plan & Affidavit
- A-7 - Drawing of Proposed sign

Mr. Ragan swore in Mr. Schaefer and he explained that Manasquan Lumber needed the sign to be identified more readily by the public. I would be on the northwest corner of the property and would not block the vision of motor vehicles or pedestrians. The sign would be lit at night until approx. 11:00 pm, but would not be flashing and it would not be revolving. The sign would be plastic on a steel pole and would be installed by a reliable sign Company. Ronald Doles moved for a site inspection seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Schneider, Smith, Van Schoick, King, Doles, Yatter and Mrs. Wagner. No; Leonard Sullivan. The site inspection was made for Saturday, January 23rd at 9:00 a.m.

New Business: Mr. Ragan read a letter from Brien Kennedy, Attorney for Fidelity Union Trust, requesting a re-opening of a variance granted to Colonial Bank, for a free standing sign. The general feeling of the Board was to have Fidelity submit a new application and at the same time ask the Board to vote on re-opening the old variance, and the Board would decide either way at that time.

Margaret D. Kazenmayer
Margaret D. Kazenmayer
Secretary to the Board

Adjourned at 8:55 pm

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider, James VanSchoick, Evelyn Wagner, & Samuel Yatter.

ABSENT: James Smith, C. Raymond King & Ronald Doles.

The meeting was called to order at 8:00 pm by Mr. Van Schoick. Having a quorum present the salute to the flag was recited and Mr. Van Schoick made an announcement the meeting was 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.

Mr. Ragan sworn in Edward Piotrowski for a four year term.

Minutes of the January 19, 1982 meeting were moved by Leonard Sullivan and seconded by Edward Piotrowski and carried by the following vote: unanimously.

Resolution 17-81 - 2534 Holding Company (BPOE Elks) 17 Stockton Lake Blvd., was read by Mr. Ragan, moved Mr. Schneider and seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, Van Schoick, and Mrs. Wagner. Abstained: Samuel Yatter.

Application 20-81 - Manasquan Lumber Company - 233 E. Main Street, Continued
John Wooley, Attorney - Douglas Schaefer, Vice-Pres.
The members report on the site inspection was favorable. The board voted to close the public meeting and Mr. Sullivan moved to adopt a favorable resolution, seconded by Samuel Yatter and carried by the following vote: yes; Messrs. Sullivan, Schneider, Van Schoick, Yatter and Mrs. Wagner. abstained; Mr. Piotrowski.

Application 19-81 - Tim's Manasquan Auto Body - 226 Highway 71 - Continued
Robert VanSickle, attorney - Timothy Tennis, applicant
The following exhibits were marked into evidence:

- A-1 - Construction Officials denial
- A-2 - Notice of Appeal and Variance Application Form
- A-3 - Notice of hearing to property owners.
- A-4 - Affidavit of proof of service
- A-5 - List of property owners to be served
- A-6 - Plot plan
- A-7 - List of signatures on petition.

Mr. Tennis stated his principal business is Auto Body work with a limited license to sell only cars he has repaired. Mr. Tennis said he was not aware of restriction when he rented property. He said it was impossible to make a living without a used car dealership. At the present time he employs four men. If the variance is granted he will upgrade the property. Other businesses in the area include body shops and gas stations. He said he would only operate during the day and very low key, no banners or flags.

Timothy Tennis, Sr., was sworn in and testified that someone in Boro Hall gave him a certificate for a license for used cars. When he brought it to Trenton, they told him he needed a use variance for a used car dealership. They would not issue the license.

Mr. Van Sickle said the variance would not impair zoning, that it would enhance the area and it was a hardship to his client because of error when business was sold to him. A site inspection was voted for Feb. 13, 1982 at 9 a.m.

Application 1-82 - Michael & Josephine Marra - 514 E. Main St. - Continued
Michael Marra was sworn in by Mr. Ragan.
The following exhibits were marked into evidence:

- A-1 - Denial from Construction Official
- A-2 - Notice of Appeal & Variance Application
- A-3 - Affidavit of Proof Of Service
- A-4 - Notice of Hearing to Property Owners
- A-5 - List of Property owners to be served.
- A-6 - Survey of Property and print of proposed addition.
- A-7 - Pictures of house

Mr. Marra testified that the 18' 3" x 12' addition was needed for living space. His parents plan to retire there. Mr. Ragan was asked to confirm if Pickell Alley was a dedicated street. He stated the property was on the tax map and was serviced by the Borough, so it is considered a street.

Mr. Marra said the front of the house will face Main Street. The house will be winterized. The addition would not eliminate any parking spaces. A site inspection was voted for February 13th at 9:30 am.

Meeting adjourned at 9:00 p.m.

Margaret Kazenmayer
Margaret Kazenmayer
Secretary to the Board

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - March 10, 1982

MEMBERS PRESENT: Edward Piotrowski, James VanSchoick, Evelyn Wagner, C. Raymond King, Samuel Yatter, Leonard Sullivan.

ABSENT: Kenneth Schneider, James Smith, Ronald Doles.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the February 10, 1982 meeting were moved by James VanSchoick, and seconded by Evelyn Wagner and carried unanimously.

Resolution 20-81 - Manasquan Lumber Company - 233 E. Main St., was read by Mr. Ragan, moved by Mr. Sullivan and seconded by Mr. Van Schoick. It was carried by the following vote: Yes; Messrs. Van Schoick, King, Yatter, Sullivan and Mrs. Wagner. Abstain: Mr. Piotrowski.

Application 19-81 - Tim's Manasquan Auto - Highway 71 - continued
Robert VanSickle, Attorney - Timothy Tennis, applicant
Mr. VanSickle, again stressed the fact that a low key used car business would be conducted on the premises. A motion was made to close the public hearing and members discussed the application. Mr. Yatter noted there were no other used car lots in Manasquan. Mr. Sullivan was not satisfied that hardship was shown. Mr. Piotrowski felt Mr. Tennis, should have investigated further before buying the business and leasing the building. Mr. King also felt that hardship was not shown and it would create an atmosphere degrading that section of town. Mr. VanSchoick moved to adopt a resolution to deny the variance seconded by Mr. Sullivan and carried by the following vote: yes; Messrs. Piotrowski, VanSchoick, King, Yatter, Sullivan and Mrs. Wagner.

Application 1-82 - Michael & Josephine Marra - 514 E. Main St. - continued
Testimony was heard at the February meeting. A site inspection was made Feb. 13th. Mr. King closed the public meeting. Mr. Sullivan moved to adopt a favorable resolution, seconded by Mrs. Wagner, and carried by the following vote: yes; Messrs. Piotrowski, Van Schoick, King, Yatter, Sullivan and Mrs. Wagner.

Application 2-82 - Fidelity Union Bankcorp. - Highway 71
Brien Kennedy, Attorney
James Desmond, V. P.

Mr. Ragan swore in Mr. Desmond. He testified that Fidelity Union Bank took over Colonial First National and they needed all the signs changed to the Fidelity logo. This is necessary for identification. Mr. Desmond showed the board members a small scale model of the proposed sign. Mr. Van Schoick asked that the sign be moved back so it was as far from the street as the old Colonial sign. Mr. Desmond agreed. The public meeting was closed and Mr. Piotrowski moved to adopt a favorable resolution, seconded by Mrs. Wagner, and carried unanimously.

Meeting adjourned at 8:30 pm.


Margaret Kazenmayer
Secretary to the Board

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - April 14, 1982

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider
Evelyn Wagner, C. Raymond King & Samuel Yatter.

ABSENT: James Smith, James VanSchoick, Ronald Doles.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the March 10, 1982 meeting were moved by Mr. Sullivan, seconded by Mr. Schneider and carried by the following vote: Unanimously.

Mr. Bendocas, from Tim's Manasquan Auto, Hwy. 71, asked the Board if he could address them. Mr. King reminded him the public meeting was closed and all remarks would be off the record. Mr. Bendocas asked the Board to reconsider their March 10, vote to adopt a resolution denying his application for a used car dealership.

Resolution 19-81 - Tim's Manasquan Auto - Highway 71, was read by Mr. Ragan, moved by Mr. Sullivan, seconded by Mr. Schneider and carried by the following vote: Yes; Messrs. Sullivan, Piotrowski, Schneider, King, Yatter & Mrs. Wagner. No; none.

Resolution 1-82 - Michael & Josephine Marra - 514 E. Main St., was read by Mr. Ragan, moved by Mr. Piotrowski, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, King Yatter, & Mrs. Wagner. no; none.

Resolution 2-82 - Fidelity Union Bank - Highway 71, was read by Mr. Ragan, moved by Mr. Piotrowski, seconded by Mr. Yatter and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, King, Yatter, & Mrs. Wagner. No; none.

Application 3-82 - Wilbur Moore - 18 Pearce Avenue
Attorney - Robert Brennan

The following exhibits were marked into evidence:

- A-1 - Construction Officials denial
- A-2 - Notice of Appeal & variance application form
- A-3 - Notice of hearing to property owners.
- A-4 - Affidavit of proof of service
- A-5 - List of property owners to be served
- A-6 - Plot plan
- A-7 - Affidavit of publication

Mr. Brennan asked to postpone the hearing, because it is a Use variance, and needs five yes votes. He advised his client to wait until the May meeting when there would possibly be more board members present. The Board agreed and voted for a site inspection on April 17th at 9 am and it will not be necessary to notify surrounding property owners again.

Application 4-82 - Francis & Margaret Gillum - 471 Euclid Avenue

The following exhibits were marked into evidence:

- A-1 - Construction Officials denial
- A-2 - Notice of appeal and variance application form.
- A-3 - Notice of hearing to property owners
- A-4 - List of property owners to be served
- A-5 - Affidavit of proof of service
- A-6 - Survey
- A-7 - plot plan
- A-8 - sketch of proposed addition
- A-9 - Affidavit of publication

Mr. Ragan swore in Mr. & Mrs. Gillum, they stated their present address was 126 Warrenville Rd., Greenbrook, N. J. Mr. Gillum stated that they planned to retire to Manasquan and needed the addition for more comfortable living space. They want to construct a two story addition on the rear of the present house. This will enlarge the kitchen and dining room and make a bedroom and bath on the second floor.

Robert Brennan, attorney representing Anita Morelli, owner of property at 475 Euclid, asked to speak for his client. Mr. Brennan said Mrs. Morelli objects to the proposed addition. He questioned Mr. Gillum about using the west side of property for expansion. Mr. Gillum responded that he would lose access to his garage.

MINUTES OF April 14, 1982 meeting - CONTINUED

Mr. Brennan then asked about expanding the existing second floor. Mr. Gillum said there wasn't enough head space and the cost of new supports would be prohibitive. Mr. King asked if he could purchase more land. Mr. Gillum said he probably could, if he wanted to pay the price.

Mrs. Morelli was sworn in. She testified they purchased the house in 1978. At that time, the easterly side was blocked by a non-conforming property. She said the Gillum's had already raised their house to create crawl space and now if they add two floors it would block the Morelli's view completely. Also, their breeze would be cut off and they would lose privacy. She said the building inspector denied their application to build stairs out the rear of their property, because of rear yard requirements. The board voted for a site inspection, Apr. 17th at 9:30.

Application 5-82 - Roger Rassman - 412 Jersey Avenue, Spr. Lake (287 Perrine)

The following exhibits were marked into evidence:

- A-1 - Construction Officials denial
- A-2 - Notice of appeal and variance application form.
- A-3 - List of property owners to be served
- A-4 - Notice of hearing to property owners.
- A-5 - Affidavit of proof of service
- A-6 - Affidavit of publication
- A-7 - Survey
- A-8 - Plot plan
- A-9 - front view pictures
- A10 - rear view pictures
- A11 - sketch of existing house
- A12 - sketch of proposed addition

Mr. Rassman, told the Board he would like the rear deck to enjoy the water and he needs more bedrooms for his family. The deck would be 22" off the ground, in the rear. The two bedrooms would be built over the existing garage. Site inspection was voted for Apr. 17th 10:00 am.

Adjourned: 10:00 pm.



Margaret D. Kazenmayer
Secretary to the Board

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - May 12, 1982

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider
James Smith, James VanSchoick, Evelyn Wagner, C. Raymond
King, Ronald Doles, Samual Yatter.

ABSENT: None

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the April 14, 1982 meeting were moved by Mr. Piotrowski and seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schenider, Smith, Yatter, Doles, King, & Mrs. Wagner. Abstain: James Van Schoick.

Application 3-82 - Wilbur Moore - 18 Pearce Avenue
Thomas Brennen, Attorney

Mr. Ragan swore in Mr. Moore, who was question by his attorney. He testified that he owned the property for ten years and had bought it from a Robert Pyle. As far as he could remember the property had been used for car conditioning. since it was built in the 1950's. Mr. Moore described the building as follows: Cinder block construction/with flat tar roof/one story/2 garage doors in front/1 garage door in rear/four large windows/open inside except for bathroom and small office. Mr. Moore described his operation as conditioning cars for dearlers. Some electric tools are used/4 buffers/1 high powered washer/waxing machine/large industrial vacuum. Mr. Kessel would be the new occupant. He would use the building to make wood repairs to large boats. These repairs are made at the dock, or they bring the piece in to the garage. Only occasionally small boats are brought to the garage for repair and this would be done inside. Wooden pegs would be made at the garage. These are less noisy to make than the car conditioning. Also there would be less congestion on the street for parking and there would be no fumes. Mr. Kessel would have a lease for one year, with the option to buy. Mr. King asked if there were objectors present and if they would like to ask questions. Mr. Himmler, who objected last meeting was not present. Mr. Philip Schwier, Realtor asked to speak in favor of the proposed variance. Mr. Schwier said he had testified before other local boards as an expert witness. He feels the proposed business (wood working) is more acceptable to a residential neighborhood than the former business of car conditioning. He also noted that Dempsey's Hardware and a beauty parlor were behind the garage in question. He does not feel that real estate values will be harmed by the wood working, and perhaps improve them. The Board asked that Mr. Kessel the proposed tenant come before the board and testify. Mr. Moore waived the time limit.

application 4-82 - Francis & Margaret Gillum - 471 Euclid Ave. - con't
A favorable site inspection was made May 15, 1982. Board members asked Mr. Gillum about an entrance to the new addition, he answered there would be no entrance. Mrs. Morelli's attorney. Mr. Brennen summed up his case, again stating her objections. The board voted to grant the variance. /

Application 5-82 - Roger Rassman - 287 Perrine Blvd. - con't
Kenneth Schneider moved to adopt a favorable resolution, seconded by Samual Yatter and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, Smith Van Schoick, King, Yatter & Mrs. Wagner. Abstain; Ronald Doles.


Margaret D. Kazenmayer
Secretary to the Board

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - June 9, 1982

MEMBERS PRESENT: Edward Piotrowski, James Smith, James Van Schoick, Evelyn Wagner, C. Raymond King, Samuel Yatter.

ABSENT: Leonard Sullivan, Kenneth Schneider, Ronald Doles.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the May 12, 1982 meeting were moved by James Van Schoick and seconded by Evelyn Wagner and carried by the following vote: yes; Edward Piotrowski, James Smith, James Van Schoick, Evelyn Wagner, C. Raymond King, Samuel Yatter.

Resolution 4-82 - Francis & Margaret Gillum - 471 Euclid Avenue was read by Mr. Genz, moved by Mr. Smith seconded by Mr. Yatter and carried by the following vote; unanimously.

Resolution 5-82- Roger Rassmann - 287 Perrine Blvd. was read by Mr. Genz, moved by Mr. VanSchoick seconded by Mrs. Wagner and carried by the following vote; unanimously.

Application 3-82 - Wilbur Moore - 18 Pearce Avenue - continued
As requested by the Board Mr. Kessell, the proposed tenant for the property in question, was sworn in. He testified to the type of work he does on the premises. He said he repairs wooden boats, usually not on the premises unless they are very small, but at the boatyard. He only brings small parts back to the shop for repair. He also builds prototype boats, but only one at a time, not mass production. It was noted that he has been operating on the premises for 1½ years without a complaint from his neighbors. The public meeting was closed and the Board voted a favorable resolution with the following conditions:

1. Hours limited to 8:00 am to 5:00 pm Monday thru Saturday. NO SUNDAYS.
2. No mass production of boats on the premises.
3. No sales or promotional displays on premises.
4. If necessary an electrical suppressor will be installed, so there is no interference with the local television.
5. An industrial vacuum will be used to reduce sawdust in and around the building.


Margaret Kazenmayer
Secretary to the Board of
Adjustment

dated: July 8, 1982

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - September 8, 1982

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider, James VanSchoick, Evelyn Wagner, C. Raymond King, Ronald Doles, Samuel Yatter.

ABSENT: James Smith

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the August 11, 1982 meeting were moved by Samuel Yatter, seconded by Kenneth Schneider and carried unanimously .

Mr. Ragan asked the secretary to forward his letter to Mr. Miller, Construction Official, answering his letter of July 27th. The secretary was also instructed to send a letter to Mayor and Council informing them of the Board's decision to retain the present fee structure.

Application 7-82 - Alfred Schneider, 165 Beachfront

Roger Schneider, Allenwood Rd., Wall (Nephew)

Mr. Ragan marked the exhibits into evidence and swore in Alfred Schneider and Roger Schneider. Mr. Schneider explained that he wanted to expand the bedrooms and add a bathroom to each apartment. At present the apartments do not meet code requirements for bedroom size and private showers. He wants to make apartments conform to code. Mr. Schneider has four structures, with six dwelling units on one lot. Site inspection was voted for Saturday September 11th at 9:00 a.m. No objectors were present.

Application 8-82 - Hugh McCann - 45 Broad Street, Perth Amboy, N. J.
(property at 231 Second Avenue)

Mr. Ragan marked the exhibits into evidence and swore in Hugh McCann and his father, Peter McCann. Hugh McCann explained that the front house on his property is a single family dwelling and he wishes to raise the roof and extend the second floor bedroom over the kitchen. He will also renovate the kitchen. Responding to a question, Mr. McCann stated he has four parking spaces for the two houses, with a total of three dwelling units. The cost of the renovations will be \$2500 to \$3000. A site inspection was voted for Saturday, September 11th at 9:30 a. m. No objectors were present.


Margaret D. Kazenmayer
Secretary to the Board

Regular Meeting Of the Manasquan Board of Adjustment - October 13, 1982

Members Present: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider
James Van Schoick, Evelyn Wagner, C. Raymond King,
Ronald Doles, & Samuel Yatter.

Members Absent: James Smith

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the September 8, 1982 meeting were moved by Leonard Sullivan and seconded by James Van Schoick and carried unanimously.

Application 7-82 - Alfred Schneider - 165 Beachfront - continued

Mr. Ragan swore in Robert Schneider, 430 Oakridge Ave., N. Plainfield, son of Alfred Schneider. Mr. King asked for comments on the Site inspections and Edward Piotrowski said the premises are in very bad condition. Mr. Schneider respond it would take time to repair all the units. It was in bad condition when he purchased it, three years ago. Mr. King asked if Mr. Schneider would consider making the house into a one family, instead of two. Mr. Schneider doesn't want to, but will if forced. The property is presently for sale, and the First Avenue units are rented for the winter. There are seven rental units in all, with a total of 14 persons allowed for BOCA occupancy. Mr. King suggested Jerry Iannelli, Code Enforcement Officer, to come to the November meeting to comment on the property. Mr. Schneider was asked to waive the 120 days, he agreed. No objectors were present.

Application 8-82 - Hugh McCann - 231 Second Avenue - continued

The board made a site inspection and complimented Mr. McCann on the amount of work he has done on the property. Ronald Doles moved for a favorable resolution, seconded by Evelyn Wagner and carried unanimously.

New business

J. C. Williams Co., asked Board to make changes on their billboard on Hwy 71 and Stockton Lake Blvd., without making formal application to the Board. The board refused, they consider it a change in size and use and must be re-applied for.

Carmen Triggiano wrote a letter, with a petition, to the Board asking to re-open his case for the Barbershop at 26 N. Main. The Board refused, he must make a new application for a sign.

The Board received copies of proposed ordinance # 1257, relative to fees. The Board unanimously objected to the new ordinance, and directed the Secretary to write a letter stating these objections, to the Mayor and Council.

REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - November 10, 1982

Members Present: E. Piotrowski, K. Schneider, J. Smith, E. Wagner,
C. R. King, R. Doles & S. Yatter.

Absent: J. VanSchoick and L. Sullivan

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the October 13, 1982 meeting were moved by Mr. Piotrowski and seconded by Mr. Yatter and carried unanimously.

Resolution 8-82 - Hugh McCann, 45 Broad St. Perth Amboy N. J. was read by Mr. Ragan, moved by Mr. Doles and seconded by Mrs. Wagner and carried by a vote of: yes; 6, no; none, abstain; 1.

Application 7-82 - Alfred Schneider - 165 Beachfront - continued

Mr. Schneider presented modified plans on his original request. He now wishes to extend 5' x 3' to accommodate a shower only, on the first floor. The second floor apartment does not need an extension for a shower. Mr. Jerry Iannelli, Code Enforcement officer was sworn in. He testified that the house was built around 1890. Mr. Schneider was cited for not having an indoor shower, and Mr. Iannelli, could not see anyway for the shower to be put on the first floor without a small extension. Mr. Iannelli also asked that the outside shower be connected to the sewer. Board members were not impressed with the site inspection. All agreed the seven apartments on the property were rundown and needed repair badly. No objectors were present. Mr. Doles moved for a favorable resolution seconded by Mr. Schneider and carried by the following vote: yes; 6, no; none, abstain; 1.

Application 9-82 - Wm. Paynton - 2 Dari Ct., Lincoln Park, N. J.
(for 181 Beachfront)

Mr. Paynton wishes to demolish the present structure and build a new house, that he will eventually occupy. The present structure is a one family dwelling on the beachfront. Also occupying the lot, facing First Ave., is a garage with 2 apartments. Mr. Paynton is having David Veeder, Ocean County Homes, build the new house. The board looked at plans of a house that Mr. Veeder built on Salmon Ave, Mr. Paynton is having the same house built. The board all agreed the new house would be an improvement. Mr. Smith was in favor of approving, if Mr. Paynton would move the house back even with Mr. Keefe, to the south of him. Mr. Doles said it wasn't fair to ask him to move the house back, because Mr. Keefe's wind wall would block Mr. Paynton's view. A site inspection was scheduled for Dec. 4th. Mr. Ragan was requested to have a resolution drawn and ready to vote on. The only question the Board has to resolve is the setback.

New business: A letter was read from Mayor and Council requesting the board to attend the next meeting. The secretary was asked to respond that the Board would be present.

The Board Secretary asked to consider changing the meeting night back to Tuesday.


Margaret Kazenmayer
Secretary to the Board
of Adjustment

MINUTES OF THE BOARD OF ADJUSTMENT MEETING - December 21, 1983

MEMBERS PRESENT L. Sullivan, E. Piotrowski, J. VanSchoick, E. Wagner,
C. R. King, S. Yatter and R. Griffith

ABSENT K. Schneider and R. Doles

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the November meeting were moved by Mr. Sullivan, seconded by Mrs. Wagner and carried unanimously.

Resolution 16-83 was read by Mr. Ragan, moved by Mr. Sullivan and seconded by Mr. Piotrowski and carried unanimously.

Resolution 17-83 was read by Mr. Ragan, moved by Mr. Yatter, seconded by Mrs. Wagner and carried by the following vote: yes; Sullivan, Piotrowski, Wagner, Yatter, Griffith. No; Mr. King. The resolution will have the following added "The sign should be placed at least 15' from the curb, so as not to obstruct the vision of those entering or leaving the driveway."

Resolution 20-83 - The resolution was not read; The Board will wait until next month when the full 7 members are present to vote. The secretary was instructed to inform Mr. Norkus of the decision. The Board voted 5 yes; 2 no; on above

Resolution 22-83 was read by Mr. Ragan, moved by Mrs. Wagner, seconded by Mr. Piotrowski and carried unanimously. Mr. VanSchoick abstained.

Application 23-83 - Robert Gardell - 171½ Beachfront - cont'd
The Board discussed the site inspection. The said there was only 15' between the First ave. house and the middle house; and 12' between the middle house and the beachfront house. Electric needs renovating and it was very cluttered between the houses. The Board voted to close the public meeting. Mr. Piotrowski made a motion to deny the application, seconded by Mr. Sullivan and carried unanimously. Mr. VanSchoick abstained.

Application 24-83 - Robert C. Brittle
Mr. Brittle explained that he replaced the original stairs, but added a platform so the stairs wouldn't be so steep for his grandchildren. He was unaware that he needed a building permit and variance. The Board voted to close the public meeting. Mr. Piotrowski moved a favorable resolution, seconded by Mrs. Wagner and carried unanimously.

Old business

The Board will meet with Mayor and Council January 23rd. Secretary to send letter confirming.

New Business

Read a letter from Dan Miller, Constr. Official concerning Vernitron Bldg. on Hwy. 71. Sherman Millwork Co. wants to buy and use for business, if Board' thinks the use is the same as Vernitron. Mr. Ragan said Board cannot render an opinion without more information in a formal application. Referred Mr. Miller to Borough Attorney for informal ruling.

Adjourned: 9:15 pm.

Submitted by,


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, E. Piotrowski, K. Schneider, R. Griffiths,
E. Wagner, C.R. King, R. Doles and S. Yatter.

ABSENT: JAMES VANSCHOICK

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the October, 1983 meeting were moved by Mr. Sullivan, seconded by Mr. Schneider and carried unanimously with the exception of Mr. Griffiths who abstained.

Resolution 19-83 was read by Mr. Genz, moved by Mr. Doles and seconded by Mr. Schneider and carried unanimously with the following change: First page 3 paragraph "from the easterly side of the property" should be changed to "from the westerly side of the property". Mr. Griffiths abstained from the vote.

Resolution 21-83 was read by Mr. Genz moved by Mr. Piotrowski, seconded by Mrs. Wagner and carried unanimously, with the exception of Mr. Griffiths who abstained.

Application 16-83 - J. C. Williams Co. - Hwy 71 & Stockton Lake - Continued

Mr. King read a letter from Dennis Crawford, attorney for J. C. Williams. He and his client could not be present tonight, but requested the Board vote if seven members were present. If seven members were not present he requested a postponement until next month. Mr. Yatter moved to close the public meeting, seconded by Mr. Schneider. Mr. Doles moved a favorable resolution be made, seconded by Mr. Sullivan and carried by the following vote: Yes; Sullivan, Schneider, Doles and Yatter. No; Mr. Piotrowski, Mrs. Wagner, Mr. King. Abstain: Mr. Griffiths. RESOLUTION DENIED.

Application 17-83 - J. Bogan - 145 Atlantic Ave. - Continued

Site inspection was discussed. Mr. Doles moved to close the Public meeting, seconded by Mrs. Wagner. A favorable resolution was moved by Mr. Doles, seconded by Mrs. Wagner and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, Wagner, King, Doles & Yatter. Abstain; Griffiths. This resolution was voted on favorably with the condition that only six students per day would be tutored. After the vote, Mr. Bogan objected to the resolution stating only 6 students per day. He said that was less students per day than he had now. Mr. Bogan felt it was illegal to reduce the amount he was already permitted. Mr. Genz agreed it would violate the ordinance. Mr. Sullivan moved to recind the vote, seconded by Mrs. Wagner and carried unanimously. Mr. Sullivan moved a favorable resolution, seconded by Mrs. Wagner and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, Wagner, Doles & Yatter. No; King. Abstain; Griffiths. This second resolution was passed with the following restrictions:

One multiple session per day with six students will be allowed. One student per session during remainder of day.

One professional sign (nameplate with shaded bulb over name, one sq. ft. total size) Sign will read "James Bogan PHD, Tutoring".

Application 20-83 - Francis Norkus - .385 Beachfront - continued

Site inspection was discussed. Mr. Doles moved to close the public meeting, seconded by Mr. Sullivan and carried unanimously. Mr. Sullivan moved a favorable resolution, seconded by Mr. Yatter and carried by the following vote: yes; Sullivan, Schneider, King, Doles and Yatter. No; Piotrowski and Wagner. abstain; Griffiths.

Application 22-83 - Edward H. Roeth - 369 First Avenue

Exhibits were marked into evidence. Mr. Roeth explained he wished to make changes in his two family house. He wishes to change doors, enclose porch and outside stairs, change roof line and install new windows. He and his wife will retire to the second floor apartment and rent the first floor. Mrs. Wagner moved to close the public meeting, seconded by Mr. Piotrowski and carried unanimously. Mrs. Wagner moved to draw a favorable resolution, seconded by Mr. Schneider and carried unanimously. No objectors were present. Mr. Mastrian spoke in favor of the variance, he resides at 353 Beachfront.

Application 23-83 - Robert Gardell - 171½ Beachfront

Exhibits were marked in evidence. Mr. Gardell testified he wishes to put a deck on the second floor of the center house, between the Beachfront and First Avenue houses. The deck would be built over the first floor roof, facing south. Mr. Gardell needs the deck because he does not go on the beach and he has had a heart attack which makes going up and down the stairs a hardship. He plans to retire in five years to the Beachfront house. A motion for a site inspection was made Mr. Doles, seconded by Mr. Piotrowski. Site inspection for Nov. 19th.

Adjourned 10:00 p.m.

Submitted by,

Margaret Kazenmayer

Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MINUTES OF BOARD OF ADJUSTMENT MEETING - October 19, 1983 - Manasquan, N. J.

MEMBERS PRESENT: Edward Piotrowski, Kenneth Schneider, Evelyn Wagner,
Ronald Doles, C. Raymond King, Samuel Yatter.

ABSENT: Leonard Sullivan, James VanSchoick.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the September, 1983 meeting were moved by Mr. Doles, seconded by Mrs. Wagner and carried unanimously.

Resolution 18-83 was read by Mr. Ragan, moved by Mr. Doles, seconded by Mr. Schneider and carried unanimously.

Application 16-83 - J. C. Williams Co. - Hwy 71 & Stockton Lk. Blvd. - cont'd

Dennis Crawford, attorney for J. C. Williams asked to postpone the vote on the application, as only six members were present. The Board agreed and asked Mr. Williams to waive the time limit on the decision, he agreed. The board voted unanimously to continue the public hearing on 11/16/83. Testimony was heard concerning the site inspection of 9/24/83. Under questioning, Mr. Logan said the part of the sign to be removed is furthest from the highway; the sign will be electrified from dusk to midnight; and it will be in his customers contract that on 60 days notice the Borough may use the north side of the sign for messages. Mr. King read a note from the Police Chief, stating he had no objections to the double sided sign. No objectors were present.

Application 17-83 - James Bogan - 145 Atlantic Avenue

Mr. Bogan asked the Board to postpone the vote, as only six members were present. The Board voted unanimously to continue the public hearing on 11/16/83. Mr. Bogan waived the time limit on the decision. Testimony was heard concerning the site inspection of 9/24/83. Mr. Doles commented that all surrounding properties are residential and the traffic is very heavy, therefore dropping off children would be hazardous. Mr. Bogan said they could be dropped off in his circular driveway. The proposed sign will be electric and utilize both sides. Mr. Piotrowski commented that the house was small for teaching 12. Mr. Bogan said he has had 20 there for recitals, the room is 14' x 22'. No objectors present.

Application 19-83 - Anthony Tarantino, Jr. - 155 McLean - cont'd

Site inspection confirmed all testimony. Fencing will be 5' and from the back all around the property. No Objectors present. Board voted to close public meeting. K. Schneider moved a favorable resolution be drawn, seconded by Mr. Yatter and carried by the following vote: yes; Piotrowski, Schneider, Wagner, King, Doles, & Yatter.

Application 20-83 - Francis Norkus - 385 Beachfront - cont'd

Mr. Norkus was asked if he wished to postpone the decision on his application, as there were only six members present. He requested that the hearing continue with six members. Site inspection comments: Mr. Piotrowski thought it would add to the density at the beach. He said there were 18 homes between Brielle Rd. and the Inlet that do not have two houses on each property. Mr. Doles thought it would be an improvement to the area and that Mr. & Mrs. Norkus would make excellent neighbors. Mrs. Wagner felt the beachhouse was kept in good condition and did not need to be replaced. No objectors were present and Mr. Norkus waived the time limit for a decision.

Application 21-83 - Mutual Aid Savings & Loan - 205 Main St.

R. McGuire, Attorney
Joseph LaMountain, Ex. V.P.
R. White - for the Sign Company

At present there are 137-3/4 sq. ft. of signs on the Mutual building. The new sign will be erected facing Hwy 71 and will measure 2' x 20'. It will have photo-cell illumination. No word identification is presently on the face of bank and they feel they need it. The message sign was erected in 1977. Mr. Schneider moved to close the public meeting. Mr. Schneider moved to grant a favorable resolution, seconded by Mr. Yatter and carried unanimously.

Adjourned: 9:45pm

Submitted by
Margaret Kazenmayer
Margaret Kazenmayer, Sec.

MINUTES OF BOARD OF ADJUSTMENT MEETING - September 21, 1983 - Manasquan, NJ

MEMBERS PRESENT: Leonard Sullivan, James VanSchoick, Evelyn Wagner,
C. Raymond King, Ronald Doles & Samuel Yatter.

ABSENT: Edward Piotrowski, Kenneth Schneider, James Smith.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the August, 1983 meeting were moved by Mr. Sullivan and seconded by Mr. Yatter and carried unanimously.

Resolution 15-83, was read by Mr. Ragan, moved by Mr. Doles, seconded by Mr. Yatter and carried unanimously.

Application 16-83 - J. C. Williams Co. - Hwy. 71 & Stockton Lake Blvd.
Attorney for the Company: Dennis Crawford

Ralph Logan, Vice President

Exhibits marked into evidence: A-1 through A-14

Mr. Logan wants permission to reduce the present billboard to 25' in length from 32'. Also utilize both sides of sign (two faced) instead of the present one side. The new sign would be on three poles instead of four. The back of the sign could be used from time to time by the Municipality for a specified time (usually 30 days) with proper notice 60 days, for any message they might wish to advertise. The sign would be electrified from dusk to 12 midnight. Mr. Ragan said they were decreasing size of sign, but increasing size of use. Mr. King asked the Secretary to request comments on the sign from the Police Chief. Site inspection was voted 9/24/83 at 9 am.

application 17-83 - James Bogan - 145 Atlantic Ave.

Mr. Bogan presently uses his home to teach students on a 1 to 1 basis. He wishes to expand that use to 12 students at one time. He also wishes to erect a 2' x 3' sign, two faced, and illuminated. Mr. Bogan has parking for 3 cars on his property. Board wishes to see a site plan and diagram for the sign at the next meeting. Site inspection voted for 9/24/83 at 9:30 am.

Application 18-83 - Nicholas Perone - 168 McLean Avenue

Mr. Perone wishes to replace his porch and extend it 3' to the front. He will enclose porch with screens and storm windows. The porch will not be heated. The present porch is open. The proposed porch will not extend beyond other homes on the block. Mr. Doles moved to close the public meeting. Mr. Doles moved for a favorable resolution seconded by Mr. Sullivan and carried unanimously.

Application 19-83 - Anthony Tarantino, Jr. - 155 McLean Avenue

Mr. Tarantino requests permission to build an inground pool 5' from the property line. If he builds it anywhere else on the property it will interfere with egress from his house or garage. The area will be fenced, and the lighting will be arranged so it does not shine on his neighbors. Site inspection was voted for 9/24/83 at 10:00 a.m.

Application 20-83 - Francis Norkus - 385 Beachfront

Exhibits marked into evidence: A-1 through A-12

Mr. & Mrs. Francis Norkus, Peter LaFrance, Attorney and Robert Houseal, Architect, were sworn in by Mr. Ragan. Mr. Norkus testified that his property presently consists of one house on the Beachfront with a garage on First Ave. He wishes to remove the present garage and build a 3 car garage on First Ave., move the beachfront house over top of the new garage and construct a new home on the beachfront. Mr. & Mrs. Norkus will use the beachfront house as their home and rent the apartment over the garage. No objectors were present. Site inspection was voted for 9/24/83 at 10:30 a.m.

New Business: A letter was read from Mrs. Slater, 104 First Ave., requesting a change in Resolution 8-83. The Secretary was instructed to write a letter explaining the Board could not change the resolution without notifying her neighbors, but she could reapply without additional fees.

The Secretary was also instructed to write to Mayor and Council informing them of James Smith's resignation and to recommend the appointment of Ronald Doles, alternate, as regular member.

Adjourned: 10:00 pm

Submitted by

Margaret Kayman
Secretary

MINUTES OF THE MEETING OF THE BOARD OF ADJUSTMENT -MANASQUAN - AUGUST 17, 1983

MEMBERS PRESENT: Kenneth Schneider, Evelyn Wagner, C. Raymond King, Ronald Doles
Samual Yatter.

ABSENT: Leonard Sullivan, Edward Piotrowski, James Smith, James VanSchoick.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the July meeting were moved by Ronald Doles, seconded by Kenneth Schneider and carried unanimously.

Resolution 12-83 - Noel T. Hood, was read by Mr. Genz, moved by Ronald Doles, seconded by Evelyn Wagner and carried by the following vote: yes; Messrs. Schneider, King, Doles, Yatter and Mrs. Wagner.

Resolution 13-83 - Joseph Roberts, was read by Mr. Genz, moved by Ronald Doles, seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Schneider, King, Doles, Yatter and Mrs. Wagner.

Resolution 14-83 - Glen Gray, was read by Mr. Genz, moved by Ronald Doles, seconded by Kenneth Schneider and carried by the following vote: yes; Messrs. Schneider, King, Doles, Yatter and Mrs. Wagner.

Application 16-83 - J. C. Williams Co. - Billboard at the corner of Stockton
Lake Blvd. and Hwy. 71.

The hearing was postponed at the request of the applicants attorney. He preferred the full board present. The hearing will be continued Sept. 21th.

Application 15-83 - Dundee Associates - 59 Taylor Avenue

Louis Bertoni, 181 Longhill Ave., Clifton and Robert DeVito, 28 Trella Ter., Clifton, N. J. were sworn in by Mr. Genz. Exhibits A-1 through A-8 were marked into evidence.

Mr. Bertoni testified that they wish to remove the shed roof over the kitchen and enlarge the second floor bedroom. They are renovating the house because of fire. The house will be used by the owners. No objectors were present. Mr. Schneider moved to close the public meeting, seconded by Mrs. Wagner and carried unanimously. Mr. Doles moved for a favorable resolution to be drawn, seconded by Mr. Yatter and carried unanimously.

Old business: Contract for Secretary should be between the Board of Adjustment and the secretary. The board voted to give Mr. King power to sign contract with Secretary, retroactive to August 17th.

Crown Station: Board wants Crown to submit an application for an "A" variance.

Adjourn: 9:20 pm.


Margaret D. Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider, James VanSchoick, Evelyn Wagner, C. Raymond King & Ronald Doles.

ABSENT: James Smith and Samuel Yatter

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the May meeting were moved by Mr. VanSchoick, seconded by Mr. Schneider, with the following amendment added: "Case 5-83, Mrs. Emma Blasucci will be continued at the July meeting, not enough members are present to vote on a D variance." The minutes were carried unanimously.

Resolution 5-83 - Before reading the resolution the Board asked Mr. Ragan to add to page 1 para. 2: "as limited by condition 3 on page 2" and change 20 feet to 5 feet on page 2 para. 3. The changes were made and initialed. Mr. Ragan read the resolution, moved by Mr. Piotrowski and seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Piotrowski, Schneider, King, Doles and Mrs. Wagner. No; Mr. VanSchoick. Abstain; Mr. Sullivan.

Resolution 8-83 was read by Mr. Ragan, moved by Mr. Sullivan, seconded by Mr. Doles and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, King, Doles and Mrs. Wagner. Abstain; Mr. VanSchoick.

Resolution 9-83 was read by Mr. Ragan, moved by Mr. Sullivan, seconded by Mr. Doles and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, VanSchoick, King, Doles and Mrs. Wagner.

Application 12-83 - Noel T. Hood - 162 First Avenue - Continued
Site inspection was discussed by Board. All agree it would be better to tear house down and begin again, Mr. King said this was not the Board's jurisdiction and was strictly up to Mr. Hood. Mr. Hood said to build new would cost \$3,000. more than reconstructing. Mr. King reminded the Board that the Building Inspector would make sure the building was brought to code. Mr. King wanted the record to show that one parking space must be given to the tenant. During the testimony Mr. Hood decided to revise his application and ask permission to tear down the old house and build new. After making sure he would build with the same dimensions and side yards the Board voted to close the public meeting. A favorable resolution was moved by Mr. Schneider seconded by Mr. Piotrowski and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, King, Doles and Mrs. Wagner. Abstain; Mr. Van Schoick.

Application 13-83 - Joseph Roberts - 40½ Main Street

Exhibits A-1 to A-10 were marked into evidence. Mr. Roberts wishes to construct a greenhouse on the rear house. Board voted to close public meeting. A favorable resolution was moved by Mr. Sullivan, seconded by Mr. VanSchoick and carried by the following vote: yes; L. Sullivan, E. Piotrowski, K. Schneider, J. VanSchoick, E. Wagner, R. King and R. Doles.

Application 14-83 - Glen Gray - 578 Brielle Rd.

Exhibits A-1 to A-8 were marked into evidence. Mr. Gray wishes to construct a 6' x 8' addition, needed for inside shower to conform to code. Also, entrance to first floor bathroom is through bedroom. He will use house as his residence. No objectors were present. The Board voted to close public meeting. Mr. Sullivan moved for a favorable resolution, seconded by Mr. VanSchoick and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, VanSchoick, King, Doles and Mrs. Wagner.

Old business: Mr. Ragan reported on the Crown Station request. He needs more information, as to size of signs, etc. If Crown wishes they may come before the Board under "A" variance for interpretation. Or if the Building Inspector feels he has enough information he can grant a permit.

Adjourned 9:30 pm.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider
Ronald Doles, & Samuel Yatter.

ABSENT: James Smith, James VanSchoick, Evelyn Wagner & Raymond King.

The meeting was called to order at 8:00 pm, by Mr. Sullivan. Having a quorum present the salute to the flag was recited and Mr. Sullivan made an announcement the meeting was 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.

The minutes of the May meeting were moved by Mr. Doles, seconded by Mr. Yatter, and carried unanimously.

Resolution 4-83 Was read by Mr. Ragan, moved by Mr. Schneider, seconded by Mr. Piotrowski and carried by the following vote: Yes; Messrs. Sullivan Piotrowski, Schneider, Doles and Yatter.

Resolution 10-83 Was read by Mr. Ragan, moved by Mr. Piotrowski, seconded by Mr. Schneider and carried by the following vote: ^WMessrs. Sullivan, Piotrowski, Schneider, Doles and Yatter.

Resolution 11-83 Was read by Mr. Ragan, moved by Mr. Schneider, seconded by Mr. Piotrowski and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, Doles and Yatter.

Application 8-83 - Allen Slater - 104 First Avenue - continued

A site inspection was made on May 21st and Mr. Doles said the proposed deck fits in with the other properties at the beach. Mr. Does moved to close the public meeting. No objectors were present. Mr. Schneider moved to draw a favorable resolution seconded by Mr. Doles and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, Doles & Yatter.

Application 9-83 - Eugene Cross - 201 Second Ave. - continued

Site inspection was made May 21st - Neither the foundation or roof line is changing, only original porch is being closed in. No objectors were present. Mr. Yatter moved to close the public meeting. Mr. Schneider moved to draw a favorable resolution seconded by Mr. Yatter, and carried by the following vote: yes; Messrs. Sullivan, Piotrowski, Schneider, Doles and Yatter. Mr. Cross asked the Secretary to contact Mr. King and ask for a special meeting to read the resolution.

Application 12-83 - Noel T. Hood - 162 First Avenue

Mr. Hood wants to raise the house 2 building blocks or 2 ft. 1/3 of house is garage, other 2/3 is apt. on posts. He also want s to add a second story, with a dormer for the bathroom on the south side. Mr. Hood rents for the summer, but eventually hopes to live in beachhouse. Height of finished house will be 28' from base to peak. The board considered it three stories. Mr. Doles asked for a drawing showing how finished house will look on the exterior, with elevations. Site inspection for June 18, 1983 at 9 am.

New Business: Crown Station on Highway 71 wants to add to their free standing sign. Mr. Ragan will research and report at the July 20th meeting.

Adjourned: 9:00 pm.

submitted by,


Margaret Kazenmayer
Secretary to the
Zoning Board of Adjustment

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ADJUSTMENT-MANASQUAN-May 18, 1983

MEMBERS PRESENT: Messrs. Sullivan, Piotrowski, Schneider, VanSchoick, King, Yatter & Mrs. Wagner.

ABSENT: Messrs. Smith and Doles.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the April meeting were moved by J. VanSchoick and seconded by S. Yatter and carried unanimously.

Resolution 6-83 was read by Mr. Ragan, moved by L. Sullivan seconded by E. Wagner and carried unanimously.

Resolution 7-83 was read by Mr. Ragan, moved by S. Yatter, seconded by L. Sullivan and carried unanimously.

Application 4-83 - Natalie S. Dalton - 50 Willow Way - Continued
Steven Keegan, atty. (sub for J. Wooley)

Mrs. Dalton was asked by her attorney to again explain why she needed the addition to her dining room. The Board members discussed the site inspection. The Board moved to close the public meeting. Mr. Schneider moved for a favorable resolution, seconded by Mr. Piotrowski, and carried by the following vote: Messrs. Sullivan, Piotrowski, Schneider, Van Schoick, Yatter & Mrs. Wagner. Mr. King abstained.

Application 5-83 - Emma Blasucci - 302½ E. Main St. - continued

Site inspection was discussed, Board members did not think the deck would be too close to the house next door. There would be at least 20' between, they also do not think the density would be affected by the deck. Mrs. Minier, again listed her objections to the deck. The Board voted to close the public meeting. Mrs. Wagner moved for a favorable resolution, seconded by Mr. Piotrowski and carried by the following yes: Messrs. ~~Sullivan~~, Piotrowski, Schneider, King, Yatter & Mrs. Wagner. No; Mr. VanSchoick.

Application 8-83 - Allen Slater - 104 First Avenue

Exhibits were marked into evidence A-1 thru A-8.

Mr. Slater requested a variance to construct a wooden deck on the rear of his summer house at 104 First. Most of the summer the house is used by his family. Mr. Slater feels because of the unique nature of rear yards between the Beach and First Ave. his variance should be granted. No objectors were present. Board voted for site inspection May 21st.

Application 9-83 - Eugene Oross - 201 Second Ave.

Gregory Oross, Atty.

Rev. Oross wishes to renovate the house and include the present front porch as part of the house. Mr. Oross testified that the work was begun on the porch without the proper building permit. He also testified that the porch was covered with a habitable bedroom, not just a roof, thus making a variance unnecessary. The Board disagreed, it is expansion of non-conforming use and does require a variance. Mr. Daniel Miller, Construction Official testified that the building is a 1 story with roof and not a habitable second story. Board voted a site inspection May 21st.

Application 10-83 - Joseph Siliato (Sherman) - 175 Broad St.

Mr. Siliato wishes to construct a 20' x 30' addition to his house. He will remove old pantry and build on. The actual expansion will only be 6 foot. The Board voted to close the public meeting. Mr. Sullivan moved a favorable resolution, seconded by Mr. Yatter and carried unanimously.

Application 11-83 - Frederick Mueller - 35 Deep Creek Dr.

Mr. Graham, architect speaking for Mr. Mueller, said he did not believe a variance was needed for a ½ story addition. Mr. Miller, Construction Official contends it is not a ½ story, but a third story, which according to the Code is prohibited. The Board decided that it was a third story and the variance was needed. Board voted to close public meeting. Mr. Sullivan moved for a favorable resolution seconded by Mr. VanSchoick and carried unanimously.

Meeting adjourned.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, E. Piotrowski, K. Schneider, J. VanSchoick
E. Wagner, C.R. King, R. Doles & S. Yatter.

ABSENT: James Smith

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the March meeting were moved by L. Sullivan and seconded by K. Schneider and carried unanimously.

Re-opening of Triggiano/Perrella cases - Mr. Ragan wrote a letter to the Board detailing his research of variances granted Triggiano/Perrella some years ago. Mr. Ragan recommended that the Board not re-open the cases for the following reasons: substantial lapse of time, change in membership of the Board, and the public noticed on the first meeting. Mr. Sullivan moved that the Board deny the original letter from Mr. Leahy asking for a re-opening of the cases. He suggested they apply to the Board in the normal way to re-open the case, as opposed to this method. The motion was seconded by Mr. Piotrowski. The motion was voted on favorably by the Board.

Resolution 2-83 - Thomas & Patricia Cruso - 456 E. Main St., was read by Mr. Ragan, moved by Mr. VanSchoick and seconded by Mr. Schneider and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, VanSchoick, King, Yatter. Abstain; Doles, Wagner.

Amended Application 3-83 - John Rupprecht & Nicholas Ranauro - 113 Beachfront
Thomas Miller, Attorney for above

Exhibits A-1 thru A-6 were marked into evidence. Mr. Miller, atty., asked Mr. Rupprecht to make a brief review of the original application. Mr. Rupprecht then testified as to how the accident happened and why it was necessary to re-open the case. (The old house collapsed from the wind, when the roof was removed.) The new plans are identical to the old house. The same foundation lines will be used, but 15 pilings will be sunk 25 ft. under the house. Mr. VanSchoick moved to accept the amended application to re-open the Public meeting, seconded by Mr. Schneider. Mr. Sullivan questioned why the hurry to start building. Mr. Rupprecht explained the heavy equipment to be used for the pile driving must be off the beach before summer. Also they must pump the ocean water ~~to~~ to drive the pilings in. Mr. VanSchoick moved to close the public meeting, seconded by Mr. Piotrowski. Mr. King then explained that because of the expediency of the matter he had asked Mr. Ragan to draw up a favorable amended resolution. Mr. Ragan read the amended resolution 3-83 which was moved by Mr. Sullivan, seconded by Mr. VanSchoick and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, VanSchoick, King, Doles, Yatter.

Application 4-83 - Natalie Dalton - 50 Willow Way

Exhibits A-1 thru A-9 were marked into evidence. John Wooley, Attorney for above asked Mrs. Dalton to explain why she needed the variance. Mrs. Dalton said she bought the house with the understanding from her attorney and Twyman Realtors that she could put on an addition. When she applied for a building permit she was told that she could not build without violating the rear yard zoning requirements. The house presently has 3 bedrooms, living room, kitchen dinette and bathroom with an attached garage. If allowed to build she would be left with a 11'6" rear yard. Mr. Doles asked if she was taking legal action against the Realtor. She replied that it would not be practical. Arthur Guerin, 42 Willow Way, objected to the addition. He said it would block his view looking down the yards. Chris Papazoglou, 46 Willow Way, objected to the addition because when he applied to the building inspector for an addition he was denied. Mr. Doles asked for a site inspection. The inspection was voted for 4/23/83 at 9:30 a.m.

Application 5-83 - Emma Blasucci - 302½ E. Main St.

Exhibits A-1 thru A-8 were marked into evidence. Mrs. Blasucci testified she wished to construct a deck on the west side of the rear garage apartment. She intends to use the apartment herself for weekends and vacation. She rents the front house. Ellen Minier objected to the deck. She feels it is too close to her garage apartment and they will be looking in the bedroom windows from the deck. She also is afraid there will be "porch parties" in the summer if it is rented as in the past. She also remembers the apartment had an open porch at one time and they closed it in. Mrs. Minier lives at 300 E. Main St. Mr. John Weislo, also objected to the deck. He agrees with Mrs. Minier, he says he is now surrounded by garage apartments. Mr. Weislo lives at 308 E. Main St. J. D. Hempill, 323 E. Main also objected, he stated there was too much density already.

Mr. Schneider moved for a site inspection, seconded by Mr. Piotrowski. The inspection was scheduled for Apr. 23rd, at 10:00

Application 6-83 - Lillian Lombard - 25 Meadow Avenue

Exhibits A-1 thru A-9 were entered into evidence

Mrs. Lombard, Peck Avenue, Newark, N. J. and Mr. Peloso, Nutley, N. J. were sworn in. Mr. Peloso is the builder. Mrs. Lombard testified that she needs to extend her kitchen and make a utility room for the water heater, washer and dryer. Mrs. Lombard was asked if she would step-in the addition, to conform with the side yard requirements. She said she would rather not do that. Mr. Doles agreed that to shorten the addition by 2 ft. would not be aesthetically pleasing and he would rather grant the full extension, so the roof line would be the same. Mr. King asked if the Board wanted a site inspection. Mr. Sullivan felt a site inspection was not necessary because the lots on either side of Mrs Lombard were not buildable (33'). Mrs. Lombard also testified she rents part of the summer, the house is not winterized and there is no cellar. The Board decided a site inspection was not necessary. Mr. Sullivan moved for a favorable resolution seconded by Mr. Yatter, and carried unanimously.

Application 7-83 - Ida Lloyd - 155 Beachfront

Exhibits A-1 thru A-7 were marked into evidence

Mrs. Lloyd, 36 Dorann Avenue, Princeton, N. J. and Thomas Carney, Toms River, N. J., builder were sworn in. She testified that she has trouble with rain and snow on the shed roof over the back of the house. She wishes to put on new sloping roof and renovate the back 18' of the house that originally was a porch. This portion of the house is kitchen, bath and small bedroom. This will have new walls, roof and windows. Mrs Lloyd only owns the beachhouse, which she rents for the summer. Mr. Noel Hood, 161 Beachfront, was in the audience and he approves of the construction. Mr. Doles moved for a favorable resolution without a site inspection, seconded by Mrs. Wagner and carried unanimously.

Old Business:

Mr. King read a letter from Councilman Deppeler, regarding fees charged by the Board of Adjustment and the Planning Board. The Board members disagreed with the new fee schedule and asked the Secretary to write a letter to the Law and Finance committee saying they considered it detrimental to the individual taxpayer.

Meeting adjourned 10:35.

Submitted by,


Margaret Kazenmayer,
Secretary

MINUTES OF THE REGULAR MEETING OF THE Board of Adjustment - March 16, 1983

MEMBERS PRESENT: L. Sullivan, E. Piotrowski, K. Schneider, J. Smith,
James VanSchoick, Evelyn Wagner, C.R. King, & S. Yatter.

ABSENT: R. Doles.

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the February meeting were moved by James Smith and seconded by E. Piotrowski with the following amendment: "strict application of" be added to the Mastrian transcription, under comments by Mr. King.

Resolution 1-83 - James Mastrian, was read by Mr. Ragan, moved by James Smtih seconded by James VanSchoick and voted as follows: Yes; L. Sullivan, E. Piotrowski, K. Schneider, J. Smith, J. Vanschoick, C. R. King, & S. Yatter abstain; E. Wayner.

Application 3-83 - John Rupprecht & Nicholas Ranauro - 113 Beachfront- Cont'd

Site inspection favorable, all agreed for energy reasons the new loft should face south for sun in the winter and roof shading in the summer. Mr. Genz had been instructed by the Board at the February meeting to prepare a resolution contingent on the favorable site inspection. The Board voted to close the public meeting. Mr. Ragan read the resolution, moved by Mr. Smith, seconded by Mr. Sullivan, carried by the following vote: unanimously with abstain from Mrs. Wagner.

Application 2-83 - Thomas & Patricia Cruso - 456 E. Main St.

Exhibits A-1 thru A-7 were marked into evidence. Mr. & Mrs. Cruso wre sworn in by Mr. Ragan. Mr. Cruso testified that they want to enlarge the rear apartment by converting the garage into two bedrooms. They will use the front apt. and the rear apt. will be for his in-laws. Vacations and weekends will be spent there. There will be no outside change, just the renovation to the garage. Each apartment has a separate entrance. The rear apartment consists of combination living room-bedroom, kitchen and bath. No objectors were present. Mrs. Capo of 6 Pershing Ct. sent a letter approving of the proposed change. The board did not want a site inspection. The board moved to close the public meeting. Mr. VanSchoick moved a favorable resolution be drawn seconded by Mr. Sullivan and carried unanimously.

Old business: Mr. King reported on the meeting Feb. 28th with Mayor & Council concerning the new fees. The secretary was instructed to send a letter to Mayor & Council unanimously endorsing the new schedule.

Mr. Ragan discussed a letter from Matthew Leahy, attorney for Triggiano/Perrella regarding free standing signs. Mr. Ragan spoke with Mr. Leahy, and said although he had never seen a case reopened after three years, it was possibly feasible. All neighbors within 200 ft. would have to be re-notified. Mr. King asked Mr. Ragan to research and report at Apr. meeting. Mr. Ragan will advise the secretary of the information needed from old transcriptions. (Only two members of the original board remain on the present board.)

New business: Mr. King read a letter from Mary Margaret Murray, inviting the Board to participate in "Grant Finders Program". The Board declined, present budget too tight. Instructed secretary to send letter declining to Mrs. Murray.

Adjourned: 9:05 p.m.


Margaret Kazenmayer
Secretary

MEMBERS PRESENT: L. Sullivan, E. Piotrowski, K. Schneider, J. Smith,
J. VanSchoick, C. R. King, R. Doles, S. Yatter.

ABSENT: E. Wagner

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Resolution 9-82 - William Paynton - 181 Beachfront was read, moved by Leonard Sullivan, seconded by Edward Piotrowski and carried by the following vote: yes; L. Sullivan, E. Piotrowski, K. Schneider, J. Smith, J. VanSchoick, C. R. King, & S. Yatter. Abstained; R. Doles.

Application 1-83 - James Mastrian - 353 Beachfront - continued

Mr. Saxton, Attorney for Mr. Milligan, Mr. Mastrian, and Mr. Milligan gave a summation as follows:

Mr. Saxton maintained that Mr. Mastrian did not meet the criteria as stated in the Zoning Code, i. e., density, fire, well being, open space, gradual elimination of non-conforming properties, prevent overcrowding of land. Mr. Mastrian did not show hardship, but created his own hardship. A real estate expert was not brought to testify that properties would increase in value because of the expansion, this was only Mr. Mastrian's opinion. Felt he could use rear house for children's living space.

Mr. Milligan stated he bought the house at 355 Beachfront because it was not as close to other houses as the rest of the area. He objects to the Mastrian bedrooms being 7' from his bedrooms and considers it a personal inconvenience because the expansion will create more noise. He also feels it is a financial hardship if the expansion makes his house worth less money. He has no assurance that the Mastrian's won't sell or rent after they get the variance.

Mr. Mastrian made the following points in his summation:

1. Hardship because there isn't any property available to buy to make it conforming.
2. Must move from N. Plainfield house by March 1st.
3. Need space to provide for family.
4. House population will decrease in future.
5. Improvement will be asset to Manasquan in ratables and appearance.
6. Will conform to the latest building codes.
7. Sufficient side yard exists on the expansion side of house.
8. Historical benefit that reflects previous improvements to property.

Comments from the Board Members:

Mr. VanSchoick felt the objections presented were not valid and moved for favorable resolution.

Mr. King said historical factors prevent ^{street application of} applying land use laws to the beachfront and the beachfront has always been noisy in the summer. He felt 7' was adequate for fire. Mr. King was in favor of the application.

Mr. Doles also felt 7' was an adequate fire break and the construction will not exceed existing foundation and roof lines, so light and air not effected. A personal dwelling is not covered by BOCA code and does not apply to this case as far as people in residence. Mr. Doles was in favor of the application.

Application 3-83 - Rupprecht and Ranauro - 113 Beachfront
Thomas C. Miller, Attorney for Mr. Rupprecht & Mr. Ranauro
Exhibits A-1 through A-10 were marked into evidence.

Mr. Rupprecht testified that he wished to construct a second story, loft type addition to his house. The house presently consists of three very small bedrooms, kitchen, living room, bath and enclosed porch on the first floor. The new plan calls for 1 bedroom, living room, kitchen, bath and utility room on the first floor and 1 bedroom and den on the second floor.

**THE FOLLOWING
DOCUMENT OR
PAGE IS IN POOR
CONDITION.**

TOO LIGHT
TOO DARK
RIPPED/TORN
OTHER

There is a two family rental on the property, facing First Avenue, this will be rented in the summer. The Board questioned Mr. Rupprecht about separate entrances to the second floor. Mr. Rupprecht assured the Board that no separate entrance would be constructed, just larger windows for fire egress. Mr. Rupprecht showed photos of the property and surrounding properties. The photos showed that the new construction would not block the sun, light or air of his neighbors. Mr. Sullivan asked why the urgency to have the variance approved. Mr. Rupprecht explained he was anxious to finish the project before the summer influx, when construction would be more hazardous. The Board asked the attorney to prepare a favorable resolution for the next meeting, so it would be ready to vote and expedite the matter, contingent on the site inspection. Site inspection voted for Feb. 19th at 9 am. No objectors were present at the meeting.

Old business: Mayor and Council requested the Board Members be present at the Feb. 28th Council meeting to discuss the new fee ordinance.

submitted by,



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider,
James Smith, James VanSchoick, C. Raymond King & Samuel Yatter.

ABSENT: Ronald Doles

The re-organization meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Resolutions "A", "B", "C", "D", "E", & "F" were introduced and carried unanimously for a favorable adoption.

Minutes of the December meeting were moved by Kenneth Schneider and seconded Edward Piotrowski and carried unanimously.

Application 9-82 - Wm. Paynton - 181 Beachfront - continued

At the second site inspection, Mr. Paynton, Mr. Keefe and the Board came to a mutual agreement on the setback. Mr. Paynton submitted an amended plan and included a deck on the rear of the First Avenue house as part of the variance. Also, a retaining wall will be built on the southside and a catwalk of decking will be laid along the southside of the house. No objectors were present. James Smith moved a favorable resolution be drawn, seconded by Leonard Sullivan and carried by an unanimous vote.

Application 1-83 - James Mastrian - 353 Beachfront

Exhibits A-1 through A-11 were marked into evidence. Mr. Mastrian was sworn in and testified that he wishes to make the beachhouse his permanent residence and he had already sold his N. Plainfield home and had to be out this spring. There are two dwellings on his property. The Beachhouse and a rear house on First Avenue. Mr. Mastrian wishes to expand the four bedrooms in the beach house by making the side porch part of the bedrooms. The expansion would not go beyond the roof or foundation lines and the distance between the foundation and the side yard line is 87". The attic will be used for storage only. The First Avenue house is rented for the summer. There are six parking spaces available.

Mr. Norman Milligan, 355 Beachfront was sworn in and testified that the proposed expansion would be detrimental to him for the following reasons:

1. Financial hardship because closing in open porch would be blocking his space and make living quarters closer together.
2. Noise in walkway between houses is very bad in summer and wall would act as sounding board for the noise.
3. Bigger bedrooms mean more people if you rent and more people means more noise and more parking problems.

Ed Rothe, 369 First Avenue was sworn in and testified to the good character of Mr. Mastrian and approved of the proposed plans.

Mr. King read a letter from Luella Bemmels, 349 Beachfront approving the proposed plans for the Mastrian house.

Marvin E. Rule, Jr., was present and also approved the plans for the Mastrian house. (339 Beachfront)

The Board voted for a site inspection of 353 Beachfront on February 12, 1983 at 9am.

New business:

Ordinance 1257 was discussed and the Board made the following points:

1. If an application is denied, how do you collect money owed the Board?
2. Money held in escrow is more work for Secretary.
3. Would need a waiver of 120 day limit.

The Board was agreed that a combination of the new ordinance and the old fee schedule would be satisfactory.

The budget was discussed and was submitted for \$4,114.00, for 1983.


Margaret Kazenmayer
Secretary to the Board

MINUTES OF THE BOARD OF ADJUSTMENT REGULAR MEETING - December 19, 1984. at Manasquan, N. J.

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner,
C. R. King, R. Griffiths, J. Mastrian.

ABSENT: R. Doles.

Minutes of the November meeting were approved.

Resolution 15-84 was read by Mr. Ragan, moved by L. Sullivan, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schnieder, E. Wagner C. King, R. Griffiths, J. Mastrian.

Resolution 17-84, was read by Mr. Ragan, moved by J. Mastrian, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 22-84 - Ferrante/Guzik - 80 Ocean Avenue - Cont'd

The Board discussed the site inspection and agreed that most lots in the area have two houses on them. Mr. Ferrante agreed to give up the basement apartment in the existing front house. The kitchen will be removed and also the outside entrance. J. Mastrian asked that it be recorded in deed, but Mr. Ragan felt that was not necessary. Mr. Ferrante asked if the entrance to the basement could be retained. He needs access to basement for heating and plumbing, and also storage. Board agreed. The public meeting was closed. K. Schneider moved a favorable resolution, with the provision that the ground floor apartment abandoned, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 24-84 - Wm. Bresnahan - 179 Beachfront

Exhibits A-1 to A-8 were marked into evidence. Mr. Bresnahan wishes to raise the roof 3' on the north side, extend roof to front of building, change front of structure by changing glass porch and moving entrance to one side. Will not exceed existing foundation. He needs a second bathroom and bigger bedrooms. Mr. Bresnahan testified that he already covers 67% of the land and have a total of 5 units, 4 are rentals.

Mr. Paynton of 181 Beachfront objects to the roof being raised. He reminded the Board that when he received his variance, the Board made him setback his house so the Bresnahan's view would not be blocked. Now he claims the new roof line will block his view to the north.

Mr. Wasserman, architect, was sworn in and explained that the second story porch would extend forward over first floor porch. A site inspection was set for Jan. 5th at 9:00 am. Public meeting will be continued next month.

Application 23-84 - Schneider/Gummieny - 133 First Avenue

Exhibits A-1 to A-8 were marked into evidence. Mr. Schneider explained that the first floor apt. was ruined from flooding. This happens because the garage is 2' below the street grade. The house is sagging in the middle and the center post was rotted. Mr. Schneider wants to incorporate the garage into the first floor rear apt. When the project is finished there will be the same existing two apts, but the rear will be larger. There is parking in the front yard only. Site inspection Jan. 5, 9:30 am. Public meeting continued next month.

New business: A letter from Mr. Zampino, 125 Beachfront, to Kenneth Fitzsimmons, Borough Attorney was discussed. The Board was unanimous in directing Mr. Miller, Construction Official to pursue matter. The structure does not conform to the approved variance. Mr. Ragan will write letter and present to next meeting for approval.

Adjourned 9:30 pm.


Margaret Kazenmayer
Secretary, Zoning Board
Of Adjustment

MINUTES OF REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT, MANASQUAN, N. J.
November 21, 1984

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, E. Wagner, C. R. King, R. Griffiths
J. Mastrian

MEMBERS ABSENT: R. Doles, J. VanSchoick

Minutes of the October meetings were approved, and minutes of Special meeting were approved.

Resolution 16-84 was read; moved by L. Sullivan, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths.

Resolution 13-84 was read; moved by L. Sullivan, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths.

Resolution 12-84 was read; moved by K. Schneider, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, No; R. Griffiths.

Resolution 19-84 was read; moved by K. Schneider, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths, J. Mastrian.

Resolution 21-84 was read; moved by R. Griffiths, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths, J. Mastrian.

Application 15-84 - Michael Brennan, 517 Long Avenue - cont'd

Mr. Brennan presented new plans to the Board that were marked into evidence by Mr. Ragan. These new plans were acceptable to the Board. Dr. Hanley was in the audience and also stated his approval of the new plans. Mr. Sullivan moved to close the public meeting. Mr. Yatter moved to draw a favorable resolution seconded by Mrs. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths.

Application 17-84 - Robert Ross - 118 First Avenue - cont'd

The site inspection was discussed. Mr. Mastrian feels the overall appearance of the enclosed porch is objectionable, he suggests they remove and start over using new material. The Board agreed the work must be done properly. Mr. Ross refused to do over using new material. Mr. Yatter moved to close the public meeting. Mr. Mastrian moved to deny the application, seconded by Mr. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, R. King, R. Griffiths, J. Mastrian. The Board also informed Mr. Ross to remove the patio structure before the 1985 rental season.

Application 22-84 - Ferrante/Guzik - 80 Ocean Avenue

Exhibits A-1 thru A-7 were marked into evidence. Mr. Ferrante stated he wished to construct a new home at the rear of the property. There is a house presently on the street side of the lot. The property is 37.5' wide and 219' deep. He will take the garage down that is there. There is a common driveway on the west side and 4 parking spaces in the rear. It is a flood area, but would elevate to code. Jerry Santor, 74 Ocean Ave. objects to the plan. He feels an additional rental would add to the problems in the area. Mr. Santor says there is a two family house on the property now. Mr. Rabner, 76 Ocean, does not have any present complaints, but is concerned about future rentals. Will there be problems? Mr. Ragan suggested that perhaps Mr. Ferrante would give up the two apartments in the front house and make it a single family. Mr. Ferrante would consider it. Mr. Ragan was instructed to research for next meeting. Mr. Yatter concerned about Mr. & Mrs. Ferrante's parents. When they die will house become a rental? Mr. Mastrian wants a floor plan of proposed new house. Voted to continue hearing in December.

Adjourned: 9:15 pm

submitted by,


Margaret Kazenmayer
Secretary

MINUTES OF REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT, MANASQUAN, N. J.
OCTOBER 17, 1984

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, E. Wagner,
C. R. King, R. Griffiths, J. Mastrian.

MEMBERS ABSENT: J. VanSchoick.

New Board member, James Mastrian, was sworn in by Peter Ragan.

Minutes of the last meeting were approved.

Board voted to adjourn meeting by 11:00 pm.

Resolution 14-84, was read by Mr. Ragan, moved by Ronald Doles, seconded by Evelyn Wagner and carried by the following vote: yes; L. Sullivan, R. Doels, E. Wagner, C. R. King, R. Griffiths. abstain; J. Mastrian.

Application 12-84 - Carl Nocera - 189 Third Avenue - cont'd

Mr. Ragan advised Board they would have to research Council minutes to see if any changes were made to the zoning between 1947 and 1967 or they would have to treat the property as a nonconforming use. Mr. King reviewed the facts in the case: Mr. Nocera bought in 1984, was not aware it was illegal apartment in rear. Needs rent from apartment to pay mortgage. Notice of Mrs. Perhach (former owner) testified to garage use as living quarters. It will be used in summer only, not winterized. Mr. Sullivan moved to close public meeting. Mr. Doles feels the evidence casts a reasonable doubt in Mr. Nocera's favor. Suggested limiting the bedrooms in the rear apartment to two with a total of 4 occupants. R. Doles moved a favorable resolution be drawn, seconded by L. Sullivan and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Doles, ~~XXXXXXXXXXXX~~, E. Wagner, R. King. No; R. Griffiths. Abstain: J. Mastrian.

A discussion was held on the merits of having the Attorney research previous zoning regulations and laws for future cases. Board decided it was not worth the time, as many records have been lost.

Application 13-84 - Walter Butler - 1 Main St. - cont'd

Mr. Butler combined two applications into one. He presented a new plan showing dimensions of all buildings. Frame cottage #2 will be extended 10' and a shed extended for storage. He will renovate whole cottage, put in new windows, walls, outside siding, heat. Mr. Sullivan moved to close the public meeting. Mr. Sullivan feels too much of the lot covered and the extensions make it worse, as the property is not that large. Mr. Doles thinks it would make the property more attractive, and neighbors are not that close. Mr. Yatter wants cosmetic assurances. Mr. King felt there was too much density if shed extended. He recommended no outdoor storage and no extension on the shed. Mr. Doles made a motion to approve as follows; expand cottage #2 10', leave shed at its original size, but complete. Cottage #2 will be totally renovated inside and outside. Both cottages must match main dwelling. There will be no outside storage. New heating to code.

Application 15-84 - Michael Brennen - 517 Long Ave. - cont'd

Mr. Brennen was asked at the site inspection for more detailed plans. He added redwood deck and dining room from original application plan. There are a number of structures on the street with second stories and some cape cods. Mr. King feels it would improve the neighborhood, there are other houses with the same architecture. No changes will be made to the outside foundation. Anderson type windows will be compatible with existing windows. Dr. Hamly lives on Long Avenue and objects to addition, feels a box construction is not acceptable. Mr. Yatter suggested compromise. Mr. Brennen can't make a Cape Cod type addition, because roof pitch is not enough. Ridge of house cannot be moved. Mr. King asked for more plans to show exactly how house will look outside, when completed. Voted to continue hearing at November meeting.

Application 16-84 - Thomas Smith - 26 Deep Creek - cont'd

Site inspection was discussed. All board agree it will improve neighborhood. S. Yatter made motion to close public meeting. L. Sullivan moved a favorable resolution, seconded by E. Wagner, and carried by the following vote: yes; L. Sullivan, S. Yatter, R. Doles, E. Wagner, R. King, R. Griffiths. abstain; K. Schneider, J. Mastrian.

Application 17-84 - R. Ross - 118 First Ave.

Exhibits A-1 to A-9 were marked into evidence.

Mr. Ross testified he covered rear patio with roof and sides, without a permit, because debris and sand collected in patio. He also testified that he owns 17 properties in Manasquan. Mr. Doles noted that the windows do not match and the general appearance of the house had deteriorated. Mr. Mastrian had inspected the house and recommended the Board have a site inspection. John Ruppert, 113 Beachfront objects to appearance of Ross property and the way the patio built. He says the appearance is degrading to neighborhood, and only groups rent. Mr. King read a letter from Dr. Galdieri, 117 Beachfront with the same complaints. Board voted a site inspections for Oct. 20, 9am. Hearing will continue 11/21/84.

Application 19-84 - James Noble - 599 Brielle Rd.

Exhibits A-1 to A-9 were marked into evidence.

Mr. Noble testified he wishes to change sloping rear roof to straight roof and renovate inside. The present roof slopes from 8' to under 6' at the rear bathroom. Will be used as summer residence, also during winter weekends. Cottage consists of living room, kitchen, bath and utility room: upstairs 2 bedrooms. Voted to close public meeting. Mrs. Wagner moved a favorable resolution be drawn, seconded by K. Schnieder and carried by the following vote: yes; S. Sullivan, S. Yatter, K. Schneider, R. Doles, E. Wagner, R. Griffiths, J. Mastrian. Abstain; R. King.

Application 20-84 - Roger Taylor - 76 Church St.

Exhibits A-1 to A-6 were marked into evidence.

Mr. Taylor testified that he couldn't design the new addition and not violate the rear yard, because of the way the house sits back on the property. The addition he proposes will be 12' x 18' and two stories. Mr. King said the Board was familiar with Mr. Taylor's work from a previous variance and he was sure this addition would also enhance the property. Total bedrooms will be three. L. Sullivan moved to close the public hearing. L. Sullivan moved a favorable resolution be drawn, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Doles, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 21-84 - Joseph Lucas - E. Virginia & McClelln Avenues.

Exhibits A-1 to A-8 were marked into evidence.

Mr. Lucas wishes to build a new home with a 15 inch violation in rear yard. The total home will be 58'. He doesn't want to shorten the garage by 15" to conform. The rear yard will be next to a 6' fence and block garage of his neighbors. Front of house will be on McClelln. Most board members are familiar with the property and have no problem with the 15" violation. L. Sullivan moved to close public meeting. Motion carried. L. Sullivan moved a favorable resolution, seconded by R. Doles and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Doles, E. Wagner, R. Griffiths, J. Mastrian. Abstain; C. R. King.

New business: Mrs. Wagner read a letter from Martin Keefe concerning the building at 181 Beachfront. Board voted to pass information to Dan Miller, it is not in Board's domain.

Mr. Griffiths wishes Mr. Ragan to pursue 1947 zoning ordinance. The cost would be approx. \$1000. for attorney. Board will table until next year, no money in budget.

Adjourn: 10:45 pm.

submitted by,


Margaret Kazenmayer
Secretary

MINUTES OF SPECIAL MEETING OF BOARD OF ADJUSTMENT - November 7, 1984

MEMBERS PRESENT: L. Sullivan, E. Wagner, C. R. King, S. Yatter, R. Griffiths
K. Schneider, and J. Mastrian

ABSENT: R. Doles, J. VanSchoick

The meeting was called to order at 8:00 pm by Chairman King. Having a quorum present the Salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings Act of 1975. Adequate notice had been give to the Asbury Park Press.

Resolution 20-84 - Roger Taylor, 76 Church St., was read by Mr. Ragan, moved by L. Sullivan, seconded by E. Wagner and carried by the following vote: Yes; R. King, K. Schneider, L. Sullivan, E. Wagner, S. Yatter, R. Griffith and J. Mastrian.

adjourned: 8:20 pm

submitted by

Margaret Kazenmayer
Secretary

MINUTES OF REGULAR MEETING OF THE BOROUGH OF MANASQUAN BOARD OF ADJUSTMENT
September 19, 1984.

MEMBERS PRESENT: L. Sullivan, R. Doles, J. VanSchoick, E. Wagner, C. R. King,
S. Yatter, R. Griffiths.

ABSENT: K. Schneider

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meeting Act. of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the August meeting were approved.

Application 12-84 - Carl Nocera - 189 Third Ave. - Continued

Ethel Perhack & George Perhack, Jr. her son, N. 20th Avenue, Manville, N. J. were sworn in by Mr. Ragan. Mrs. Perhack testified that she bought 189 Third Ave. from her Uncle, George Lizak, in 1969. She said her uncle built the garage first and lived there while he built the front house. She said there were always living quarters in the garage and her uncle rented it. Mrs. Perhack used the garage for living quarters and rented the front house. Mr. Perhack testified that he stayed in the garage for as long as he can remember. Neither house is heated. The front house was originally a 2 family, but Mrs. Perhack rented it as a one family. Mrs. Perhack did not rent the garage, but she said they paid rent to her uncle when he owned it. She also said upstairs in the garage had one large, open bedroom. Her uncle built it as a garage, but it was never used as one. Robert Griffiths read a statement made by Mrs. Perhack, stating "The garage was used to live in since 1948." Mr. Griffiths then read from the old 1947 zoning book that did not allow garage apartments west of First Avenue. Mr. Ragan commented that if something is illegal when it starts, it can't become legal. Mrs. Perhack sold property as garage apt. and front house that was rented to the public. Mr. Nocera said he planned to use the garage as a family summer house only.. Mr. King asked Board if they want Mr. Ragan to pursue 1947 zoning book information, or vote on information they have already. Mr. Doles said its a tough application to decide, he feels it s borderline hardship, even though monetary is not considered a hardship. Board agreed Mr. Ragan should research history of zoning changes from 1947 to present. Mr. Ragan noted that there is quite a difference in criteria for an illegal use as opposed to non-conforming use. The Board voted to continue public hearing next month.

Application 13-84 - Walter Butler - 1 Main St. - continued

Mr. Butler asked the Board for permission to amend his application to include a cottage on his property that he wishes to renovate and extend for an additional bedroom 10'. Mr. Butler's property consists of one main dwelling, two cotages and one shed. Mr. Butler waived the time limit on his application and the Board voted a site inspection on Sept. 23rd, 9:30am. The public hearing will remain open.

Application 14-84 - Edward L. Lloyd, Jr. - 160 First Avenue - continued.

The site inspection was discussed. Mr. VanSchoick did not notice any windows on the west side of apt. It was noted that the garage doors cover the windows when open.. Mr. Doles read several excerpts from Mr. Lloyd's history of the property to clear up a few points--nofurther changes inside, no heat, will update electric if doesn't meet code. No objectors were present. Board voted to close the public meeting. During the Board's open discussion Mr. Doles voiced reservations about light and air, feels windows not adequate. Emergency egress not adequate. Wallboard not in good shape, total picture not attractive. Board voted to re-open public meeting. Mr. Lloyd agreed to change garage doors so they slide up rather than slide across windows. He will sheetrock entire apartment. Additional ventilation and door for egress to be added to resolution. Mrs. Wagner made a motion for a favorable resolution to be drawn, including all requirements of the Board, seconded by Mr. VanSchoick,

Application 16-84 - Thomas Smith - 26 Deep Creek Dr.

Exhibits A-1 to A-10 were marked into evidence. Mr. Smith testified that he wishes to add garage on left side of house, take roof off and add deck. Above garage add on 2 bedrooms, den, living room, dinette, kitchen. The kitchenette upstairs will be just for snacks. Mr. Griffith asked for a floor plan. Site inspection voted for Sept. 23rd. Martin Cummins, 22 Deep Creek Dr. spoke in favor of application. Board voted to continue public meeting next month.

Resolution 10-84 - John Ippolito, Jr. - 522 Perrine Blvd.

Resolution was read by Mr. Ragan, moved by Evelyn Wagner, seconded by Robert Griffith and carried by the following vote: yes; E. Wagner, J. VanSchoick, Samuel Yatter, Robert Griffith. No; R. Doles, R. King. Abstain: L. Sullivan.

Meeting adjourned: 9:30



Margaret Kazenmayer
Secretary

MINUTES OF THE BOARD OF ADJUSTMENT MEETING BOROUGH OF MANASQUAN 8/15/84

MEMBERS PRESENT: L. Sullivan, K. Schneider, R. Doles, J. VanSchoick,
E. Wagner, C. R. King, S. Yatter & R. Griffiths.

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meeting Act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the July meeting were approved.

Application 10-84 - John Ippolito, Jr., 522 Perrine Blvd. - cont'd

Mr. Doles was in favor of the application if it was limited to 30' height, was sided to match and limited to four rooms instead of five. Mr. Yatter was concerned that it could be used as a rooming house, it can only be a three family. It was suggested that the Ippolito's could incorporate the second floor apt. into the town, if they need the room. Mr. King is in favor of application to improve the neighborhood, even though taking a chance on them selling. Mr. Sullivan suggested a compromise, if Mr. Ippolito would re-side and re-roof the house for a pleasing appearance. Mr. VanSchoick moved to close the public meeting, seconded by Mr. Doles. Mr. Vanschoick moved to draw a favorable resolution, seconded by Mr. Doles, and voted as follows: yes; K. Schneider, R. Doles, J. VanSchoick, R. King. No; E. Wagner, S. Yatter R. Griffiths. Motion denied.

Application 11-84 - Wm. Wight, 541 E. Main St. - withdrawn

Mr. Wight withdrew his application. The Board voted to refund ½ of the \$300. fee or \$150.

Application 12-84 - Carl Nocera - 189 Third Avenue - cont'd

In Mr. Nocera's testimony he insisted that paying 2 water bills constitute 2 apartments or units. Board attorney, Peter Ragan, says a water bill has no bearing on zoning. If Mrs. Perhach (former owner) testifies that she rented the rear apartment prior to 1967 zoning laws and it was never abandoned, it would be a non-conforming 2 unit property. The Board must judge Mrs. Perhach's creditability. Mr. Nocera will try to bring in Mrs. Perhach for the Sept. meeting. The Board voted to hold over until Sept.

Application 15-84 - Michael Brennan - 517 Long Avenue

Mr. Ragan marked exhibits A-1 thru A-7 into evidence. Mr. Brennan testified he wishes to construct a second story addition on the existing one story house, consisting of three bedrooms and a bath. Mr. Brennan's primary residence is in N. Y., but he has a large family of brothers and sisters that use it as a vacation home. Cost of the addition is approx. \$25,000 to \$30,000. The first floor will remain the same. Mr. Brennan's front set back is 19'. Dr. Hanley of 513 Long Avenue objects to the addition. He says 90% of street is cape cods with dormers. He feels a 2 story house will be too big and box him in. He will not move to Manasquan permanently if the addition is permitted. A site inspection was voted for Aug. 25th at 9 am. Mr. Brennan asked to postpone hearing until October meeting. He will be on vacation. He waived time limit.

New Business:

Mr. Yatter presented the Board members with "Official Business" signs for use during site inspections. This will end problems parking at the beach-front.

Mr. Yatter sent a letter to the Board concerning policing variances, granted by the Board. The Board discussed the letter. Mr. Ragan says the Board cannot share police powers with Code Enforcement, by State Statute. It was suggested that perhaps the Construction Official should submit a report to the Board, that the construction was carried out according to the Resolution. Letter to be tabled for present. Board to give it consideration, and discuss it at a later date.

Old business:

Mr. Ragan will answer Mr. Fitzsimmons letter of April 6th, concerning agreement to be signed between the Board and the applicant.



Margaret Kazenmayer
Secretary

MEMBERS PRESENT: Leonard Sullivan, Ronald Doles, James VanSchoick
Evelyn Wagner, C. Raymond King, Samuel Yatter, Robert Griffith

ABSENT: Kenneth Schneider

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meeting Act of 1975. Adequate notice had been given to the Asbury Park Press and the Coast Star.

Minutes of the June meeting were approved.

Motion 5-82 - June Rassman was read by Mr. Blankenhorn and approved.

Application 10-84 - John Ippolito, Jr. - 522 Perrine Blvd. - cont'd

Site inspection of June 23rd was discussed. Mr. Yatter is not in favor of variance, he feels attic was never meant to be bedrooms. Mr. Doles does not think the structure will blend with the surrounding houses in area. Mr. King did not like the tenement atmosphere. Mr. Griffith mentioned the fact that Mr. Ippolito parks his heavy equipment near the house. Mr. King explained to Mr. Ippolito that we did not have a full board voting and if he wished the voting could take place at the next meeting. Mr. Ippolito agreed. Board voted to carry over until August meeting.

Application 12-84 - Carl Nocera - 189 Third Avenue - cont'd

Exhibit A-9, a notarized letter from Ethel Perhach former owner of property, was submitted by Mr. Nocera. The letter said the garage apartment had been there since 1948. Mr. Nocera stated he needs the rent from the house and garage apartment to pay the mortgage and that he had been misled by the Perhach's into believing the garage was a legal apartment. Mr. Blankenhorn swore in Joseph Barri, Third Avenue, Manasquan and Leslie Lawrence, Manville, N. J. Mr. Barri testified he had the key to both houses for 15 years and both were rented. Ms. Lawrence stated she stayed in the apartment in 1969. Mr. Blankenhorn swore in Mr. Jerry Iannelli, Code Enforcement Officer. Mr. Iannelli testified that when he first inspected the front house at 189 Third there were two apartments. Mrs. Perhach later converted to a one family and had the extra water charge removed. In 1978 she asked for a water charge on the rear garage for the bathroom. Mr. Iannelli says two water charges do not prove its an apartment. Mr. Iannelli also stated he never inspected 189½ Third Aven. The tax record does not show an assessment for the apt. in 1971. In 1982 a house with garage were assessed. Mr. Iannelli wrote the Perhach's a letter saying she couldn't use the garage for a rental or could not sleep in it. Mrs. Perhach said she would use it for the day to wash hands or shower. Mr. Iannelli told Mrs. Perhach she should go to the Board of Adjustment for a variance. In response to a Board members question, Mr. Blankenhorn stated he doesn't believe you can make an illegal use legal, just because you use it. Mr. King was not in favor of the variance because of the density in the area. The Board advised Mr. Nocera to hold the voting until next month when there would be a full board voting. Mr. Nocera waived time limit.

Application 13-84 - Walter Butler - 1 Main St. - cont'd

Mr. King and Mr. Sullivan were very disturbed over the amount of debris they found in the rear yard during the site inspection. Mr. King was sure it was harboring rodents. Mr. Butler explained the debris was from the main house which he had renovated. Mr. Sullivan suggested the hearing be postponed for 2 months and give Mr. Butler a chance to clean up, he felt the Board would be more inclined in Mr. Butler's favor if yard clean. Mr. Butler agreed and waived time limit. The Board voted to continue without notices.

Application 11-84 - William Wight - 541 E. Main St.

Mr. Blankenhorn marked A-1 to A-10 into evidence. Mr. Wight asked the Board to grant a variance to have a 2 room real estate office, a rear apartment and convert the 2 car garage into an ice cream store. Mrs. Withrow presently uses the house as a residence. Mr. Wight explained that the parking is restricted, but he expects mostly a pedestrian business for the ice cream.

The Board members were not too pleased with the mixed use. Would prefer office-residential or office-business or just business. Mr. Wight did not have complete plans drawn. Board asked that he do so for next month, so they could see what ice cream store would look like completed. Board voted a site inspection July 28th.

Application 14-84 - Edward Lloyd Jr 160 First Avenue

Edward Lloyd, Attorney

Mr. Blankenhorn marked into evidence exhibits A-1 to A-9. Mrs. Catherine Lloyd was sworn in. She testified that a portion of the garage was taken to add one room to the existing apartment on the ground floor. The second and third floor make a second apartment, which is rented for the summer. Mrs. Lloyd said her daughter uses the lower apartment and they need more room so they can visit her during the summer. The one car garage will remain. Site inspection was voted for July 28th, arrangements are to be made with 159 Beachfront, Elaine Wert 223-5284. Mrs. Lloyd requested that hearing be resumed in Sept. instead of Aug. They will be coming up from Baltimore in Sept. Board agreed, she waived time limit. No objectors present.

Old business: K. Fitzsimmons letter of May 9th concerning the definition of decks, patios, porches and balconies. The Board agrees with the first paragraph of the letter "decks, patios, balconies, porches should not violate set backs." The secretary was directed to send a letter to Robert Scherrieb stating this. They will take driveways under consideration.

Three members are going to the Farmingdale seminar: R. King, E. Wagner & J. VanSchoick. Secretary will send appl. in.

Peter Ragan was on vacation this meeting, will report on K. Fitzsimmons letter of Apr. 6th at August meeting.

submitted by



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
August 10, 1984

MINUTES OF THE BOARD OF ADJUSTMENT MEETING OF THE BOROUGH OF MANASQUAN 6/20/84

MEMBERS PRESENT: Leonard Sullivan, Jr., Kenneth Schneider, James VanSchoick, Evelyn Wagner, Raymond King, Samuel Yatter and Robert Griffith.

ABSENT: Ronald Doles.

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the May meeting were read and approved.

Resolution 6-84 - Gerald & Catherine Leo, was read by Mr. Ragan, moved by Mr. Yatter, seconded by Mr. Schneider and carried by the following vote: yes; Kenneth Schneider, James VanSchoick, Raymond King, Samuel Yatter and Robert Griffiths. No; Evelyn Wagner.

Resolution 7-84 - James Swift, was read by Mr. Ragan, moved by Evelyn Wagner, seconded by James VanSchoick and carried by the following vote: yes; Kenneth Schneider, James VanSchoick, Evelyn Wagner, Samuel Yatter and Robert Girffiths.

Resolution 8-84 - Noel Hood, was read by Mr. Ragan, moved by James VanSchoick, seconded by Kenneth Schneider and carried by the following vote: yes; Kenneth Schneider, James VanSchoick, Evelyn Wagner, Raymond King, Samuel Yatter, and Robert Griffiths.

Application 10-84 - John Ippolito, Jr. - 522 Perrine Blvd. - Cont'd

Site inspection was discussed, Mr. Yatter is not in favor of granting the application, he feels hardship was not shown. Mr. Schneider is also against expanding a non-conforming building. The Board agreed that Mr. Ippolito would be adding a third story and not making the house 2½ stories. The parking is adequate, the apartments would be rented summer and winter. The Board felt they could not make a fair judgement without a second site inspection June 23rd. Mr. Ippolito waived the time limit.

Application 5-82 - reopen - June Rassman - 287 Perrine Blvd.

Application fee was waived. Mrs. Rassman re-notified property owners and published meeting in the Coast Star. The Board directed Mr. Ragan to draw a favorable motion, granting Mrs. Rassman permission to build a deck only. The original variance was granted in May, 1982.

Application 12-84 - Carl Nocera - 189 Third Avenue

Exhibits A-1 to A-7 were marked into evidence. Mr. Nocera testified that he purchased the property with the understanding that the rear garage was legally habitable for use by the owner. When he began to sheetrock the interior, and the Construction Official put a stop order on the apartment, he became aware that the apartment was not legal. He was informed that an application had to be made to the Board of Adjustment. Mr. Nocera also testified that the former owners, George & Ethel Perhach, told him they stayed in the apartment for many years. Mr. King felt the Board didn't have enough information to continue the hearing, and Mr. Ragan said Mr. Nocera should find a witness to testify that the apartment was occupied for many years. Mr. King also requested the secretary ask Mr. Jerry Iannelli to appear at the next meeting. The Board voted to continue the hearing at the July meeting. A site inspection was set for June 23rd.

Application 13-84 - Walter Butler - 1 Main St.

Exhibits A-1 thur A-8 were marked into evidence. Mr. Butler testified that four years ago he received a permit to build a shed 12' x 12'. He became ill, and never finished it. He returned to the building dept. to extend or renew the permit and asked to make the shed 22' x 12'. The construction official sent him to the Board of Adjustment. Mr. Butler said he needs the larger shed to store furniture and garden things, it will not be used for garage. He will use it for storage and a small work room. A site inspection was voted for June 23rd. No objectors were present.

Old business: Letter of April 6, 1984 from Kenneth Fitzsimmons, Boro Attorney concerning "Application fees and special review costs(Chapter 73)". Mr. Ragan will review this letter and speak to Mr. Fitzsimmons.

The Board has no comment on Mr. Fitzsimmons letter of May 9th, concerning patios, decks and driveways.

Four Board members are interested in attending the Seminar in Farmingdale

"Education & Certification for Local Planning & Zoning Members" . The Secretary will check the budget for necessary funds.

Peter Ragan will review the article on Land Use in the League of Municipalities magazine and report same to Board.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

dated at Manasquan
July 13, 1984

MEMBERS PRESENT - E. Piotrowski, K. Schneider, R. Doles, J. VanSchoick
E. Wagner, C. R. King, S. Yatter, R. Griffiths.

ABSENT L. Sullivan

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the April meeting were read and approved.

Resolution 4-84 - J. E. Clancy, Jr., was read by Mr. Ragan, moved by Mr. VanSchoick, seconded by Mr. Yatter and carried by the following vote: yes; Messrs. Piotrowski, Schneider, VanSchoick, King, Yatter, Griffiths. Abstain: R. Doles, E. Wagner.

Application 6-84 - Gerald & Catherine Leo - 42 & 42½ N. Main St. - cont'd
E. M. Oles, Attorney

Mr. Ragan read his letter to the Board reviewing the law relative to this variance. Mr. Doles ^{THINKS} there are more appropriate places for a Nursery School than abutting a residential neighborhood. Mr. Schneider felt it would be breaking the zoning. Mr. King cited increases in density and noise. Mr. Piotrowski spoke in favor of the variance, pointing out the smooth operation Mr. & Mrs. Leo run in Point Pleasant and Bricktown. Mr. Doles moved to deny seconded by Mr. VanSchoick and carried by the following vote: yes; Messrs. Schneider, Doles, VanSchoick, King, Griffiths. No; E. Wagner, E. Piotrowski. Abstain: S. Yatter.

Application 7-84 - James H. Swift - 411 Beachfront - con't

Mr. Doles commented on the site inspection, he said house was set back from other houses, but new addition would bring it past the neighbors. Mrs. ^{WAGNER} felt the view would be cut, also air and density would be affected. Mrs. Wagner moved to close the public meeting, seconded by Mr. VanSchoick. Mr. Doles moved to deny the variance, seconded by Mrs. Wagner and carried by the following vote: yes; Messrs. Schneider, Doles, VanSchoick, Yatter Griffiths and Mrs. Wagner. abstain: E. Piotrowski.

Application 8-84 - Noel Hood - 161 Beachfront - cont'd

Mr. Hood's blueprint show the side outside stairs are very close to the next property. The Board suggested that the stairs be inside the foundation lines. Mr. Hood agreed. ^{WAGNER} Mr. Yatter moved to draw a favorable resolution, with the stipulation that the stairs be within the confines of the foundation, seconded by Mr. VanSchoick and carried by the following vote: yes; Messrs. Piotrowski, Schneider, Doles, VanSchoick, Yatter, Griffiths and Mrs. Wagner. Abstain; Mr. King. ^{WAGNER} Mr. Yatter moved to close the public meeting, seconded by Mr. Schneider).

Application 9-84 - William Wood - 33 Union Avenue

Dr. Wood was sworn in and exhibits A-1 thru A-9 were marked into evidence. Dr. Wood testified that he wishes to use the front building for his dental practice and rent the rear buildings as residences. There is ample parking in the rear and would not affect traffic flow. The front house has two apts. and 5 rooms. The Dr. sees approx. 30 patients per day. Mr. Jack Langella, Pine Avenue spoke in favor of the application. Mr. Yatter moved to close the public meeting seconded by Mr. VanSchoick. Mr. Doles moved a favorable resolution be drawn, seconded by Mrs. Wagner and carried unanimously with the understanding a resolution will be ready to vote on at the June meeting.

Application 10-84 - John Ippolito, Jr. - 522 Perrine Blvd.

Mr. & Mrs. Ippolito were sworn in and exhibits were marked into evidence. Mr. Ippolito wishes to expand the second floor with two dormers to provide more head room. This is a three family dwelling. Mr. Ippolito occupies the second floor apt. with part of the third floor that contains bedrooms. Patrick Ulrich, 474 Euclid Ave. objects to the addition. He says they bought the property the same time that he did, in the 40's, and Ippolito's property has been expanded inch by inch over the years. He feels the parking, height of building and the rentals are detrimental to his light, space and air. It also increases the density of the property. Mr. Schneider made a motion to have a site inspection seconded by Mrs. Wagner and carried unanimously. The Board also asked Mr. Ippolito to provide the original survey that the dimensions were taken from.

New Business: letter of April 6th from Boro Attorney was read and deferred until June meeting.

Bd. of Adj. meeting 5/16/84 - cont'd

Jody's Seafood - Mr. Miller, Constr. Official sent a sketch and asked the Board there opinion of a small addition to the front of Jody's. Board said Jody's must submit an application.

Edward Piotrowski announced his intention to resign from the Board. He will submit his letter to Mayor and Council before the June meeting.

Mrs. June Rassman asked the Board for an extension on her variance granted June 9, 1982. Mr. Ragan advised it was too old and could only be re-opened if neighbors were notified and the meeting published in the Coast Star.



Margaret Kazemayer
Secretary to the
Zoning Board of Adjustment

dated 5/15/84

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Kenneth Schneider Ronald Doles, James VanSchoick, Evelyn Wagner, C. Raymond King Samuel Yatter and Robert Griffiths.

ABSENT: NONE

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr King made an announcement the meeting was 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.

The minutes of the March meeting were not posted. Mr. King announced that the tapes had not recorded the minutes. The secretary was absent, so there were no minutes taken. Mr. King asked all applicants from March meeting to give testimony again. All resolutions were re-read.

Resolution 3-84 was read by Mr. Ragan, moved by Mr. Sullivan, seconded by Mr. VanSchoick and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, VanSchoick, King and Griffiths. No: none.

Application 4-84 - J. E. Clancy, Jr. - 67 Sea Girt Avenue

Mr. Clancy's exhibits were marked into evidence at the March meeting. He wishes to construct a swimming pool 3' deep, 12' x 18'. Both properties will be fenced in. The pool will be used for personal use of the family only. The pool will be dismantled if property ever shared with other than family. Mr. Sullivan moved to close the public meeting. Mr. Schneider moved to draw a favorable resolution seconded by Mr. Piotrowski and carried by the following vote: yes; Sullivan, Piotrowski, Schneider, VanSchoick, King and Griffiths.

Application 6-84 - Gerald & Catherine Leo - 42 & 42½ N. Main St.
E. M. Oles, attorney

Mrs. Catherine Leo testified that she wishes to use the above property for a Nursery School for pre-schoolers. She presently has schools in Point Pleasant and Bricktown and a School in Manasquan Schoolhouse Mall. This is the school she wants to move to 42 N. Main St. as they have limited space, especially the playground. This school has serviced 150 families over a two year period or 257 children. They are turning children away from their Ocean County facilities and she feels Manasquan needs a pre-school nursery school. She quoted the Asbury Park Press as saying 65% of women will return to work, 75% of them from lower income families.

The N. Main St. location will allow for a larger playground close to the house, a place to plant seeds, a double driveway to drop off the children and continue around and out. There would be 15 to 18 children outdoors at one time, the heaviest traffic would be between 11:30 and 12 noon. Only 50 children would be enrolled in the school at one time. Manasquan has only one private nursery school and no public day care centers. Mr. Piotrowski visited the Chalk Garden in Point Pleasant and Herbertsville, he reported the schools were well organized with no traffic congestion.

There were several neighbors of 42 N. Main St. that were present in the audience and asked to speak: R. Lamo, 53 Osborn Ave., Trudy Walsh, Elizabeth Avenue, A. Carlson, 62 N. Main St., R. Wood, 54 N. Main St. K. Hughes, 57 Osborn Avenue, R. Anderson, 50 N. Main, C. Plungis, N. Main St. and Trudy Wood, N. Main St. and Wendy Verhoek of 37 N. Main St. The objections were: Reduction of property values, traffic problems, parking lot atmosphere, noise, breaking the zoning or spot zoning. Ms Verhoek presented a list of Child care centers in the area published by the State. There are eight full or part time day care centers in the area. R. Lamo presented a petition of signatures to the Board, but they will not be considered as evidence. Mr. King read a letter from Ptl. Garrity, saying traffic was not a problem. Mr. Oles summed up saying he had established criteria, the school was a public service and the site was perfect for the proposed use.

Mr. Schneider moved to close the public meeting, seconded by Mr. Piotrowski. and carried unanimously. Mr. Schneider moved to delay a vote until the next meeting to give the Board time to consider all the evidence, seconded by Mr. Piotrowski and carried unanimously. The time period was waived by Mr. Oles.

Application 7-84 - James Swift - 411 Beachfront
Sworn in - exhibits A-1 through A-9 entered as evidence

Mr. Swift testified that he wishes to extend his living room and raise the height of the doorway. He also will build a 10' deck on the front or east side which will extend past his neighbor on the south. He rents three units with a 2 car garage. Mr. Lodato, 409 Beachfront asked about the height of deck, Mr. Dinyosky, builder said it would be 1½' above the sand. Dr. Tallon, 413 Beachfront objects to the addition because it would deprive him of light, the cool northeast air and destroy 1/3 of his ocean view to the north. Dr. Tallon asked to enter pictures into evidence. Mr. Lodato spoke again, objecting to his view being eliminated, also the reduction in air and light and the density. He also mentioned that since the property is rented it isn't a hardship to the owner. The board voted a site inspection for Apr. 21st. at 9am.

Application 8-84 - Noel Hood - 161 Beachfront

Exhibits A-1 through A-10 were marked as evidence. Mr. & Mrs. Hood testified they wish to raise house on pilings and add a second story. (one bedroom downstairs and two upstairs) the rear entrance would be moved to the side to break up the traffic pattern, stairway would be 4.7 ft. from neighbor. Board members asked Mr. Hood to present more complete plans at the next meeting. A site inspection was voted for Apr. 21st. 9:30am.

New business: Letter from K. Fitzsimmons, Borough Attorney, deferred until May meeting.

Adjourned: 10:40 pm



Margaret D. Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, E. Piotrowski, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, S. Yatter, R. Griffiths.

ABSENT: R. Doles.

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the January were moved L. Sullivan, seconded by J. VanSchoick and carried unanimously. K. Schneider abstained.

Resolution 1-84 was read by Mr. Genz, moved by L. Sullivan, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, E. Piotrowski, J. Vanschoick, E. Wagner, C. King, S. Yatter and R. Griffiths. Abstain; K. Schneider

Application 2-84 - Donald Klein - 52 Main St. - withdrawn

The Board voted to refund Mr. Klein's money, but deduct \$100.00 for expenses.

Application 3-84 - Perry Frenzel - 531 E. Main St. - continued

The Board discussed the site inspection, Mr. Frenzel has a very small home and to accommodate his family it is necessary to expand and make a second floor. It will be lower in height (24') than his neighbors. E. Wagner made a motion to close the public meeting. S. Yatter moved to draw a favorable resolution seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, E. Piotrowski, J. VanSchoick, E. Wagner, C.R. King, S. Yatter, and R. Griffiths. Abstain; K. Schneider.

New business: Mr. Raymond Berardi came before the Board to ask for a special meeting. He explained that he had started to renovate the apartment in his father's house before he was aware he needed a building permit and a variance. He is getting married March 4th and needs to begin building immediately. Mr. Piotrowski observed that the Board is getting more and more applications after the construction has started and even finished. Mr. Berardi asked for a memorialization of the resolution be drawn up so if passed, the resolution could be read that night. E. Wagner moved for a special meeting Feb. 27th, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, S. Yatter. Abstain; E. Piotrowski & R. Griffiths.

Mr. King read a letter from William Paynton. Mr. Paynton asked for an extension of his variance granted February 16, 1983. The Board agreed to a nine month extension, but the work must at least begin before the nine months are up. If he does not begin the work in that time frame, he must reapply to the Board. Mr. Genz will drawn up an agreement.

Adjourned: 8:40pm


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MINUTES OF THE BOARD OF ADJUSTMENT MEETING - January 18, 1984 - MANASQUAN

Reorganization meeting

MEMBERS PRESENT: Leonard Sullivan, Edward Piotrowski, Ronald Doles, James Van Schoick, Evelyn Wagner, C. Raymond King, Samual Yatter & Robert Girffiths.

ABSENT ; Kenneth Schneider

The meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

The minutes of the December meeting were moved by Edward Piotrowski seconded by James VanSchoick. and carried unanimously.

Resolutions A, B, C, D, E, F, pertaining to reorganization were moved by Ron Doles, seconded by Leonard Sullivan and carried unanimously. Reading of resolutions was waived.

Resolution 20-83 was read by Mr. Ragan, moved by L. Sullivan, seconded by R. Doles and carried as follows: Yes; Sullivan, Doles, VanSchoick, King, Yatter. No; Piotrowski, Wagner.

Resolution 23-83 was read by Mr. Ragan, moved by Mr. Sullivan, seconded by Mr. Piotrowski and carried unanimously. Mr. Doles abstained.

Resolution 24-83 was read by Mr. Ragan, moved by Mrs. Wagner, seconded by Mr. VanSchoick and carried unanimously. Mr. Doles abstained.

Application 2-84 - Donald L. Klein - 52 Main St.

Mr. Klein's attorney asked for postponement until February meeting. Granted, with no further notice required.

Application 2-84 - George J. Rice (Tabor) 66 Colby Avenue

Exibits A-1 through A-8 were marked into evidence. Mr. Tabor explained that he had renovated two bedrooms in front of house that used to be a porch. He did the renovations without a building permit and was fined \$50.00. When he applied for the building permit, he discovered he did not have the proper front yard setback and had to apply to the Board of Adjustment. Mrs. Wagner moved to close the public meeting seconded by Mr. Yatter. Mr. VanSchoick moved to draw a favorable resolution seconded by Mr. Piotrowski and carried unanimously.

Application 3-84 - Perry Frenzel - 351 E. Main St.

Exibits A-1 through A-9 were marked into evidence. Mr. Frenzel wishes to add a second story to his ranch house. He needs addition room for his family. It will not have a separate entrance or a kitchen. The present house has two bedrooms. Mr. VanSchoick moved for a site inspection seconded by Mrs. Wagner and carried unanimously. Inspection Jan. 31st.

Old Business:

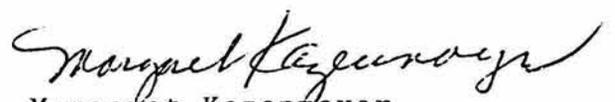
Board has meeting with Mayor and Council on Jan. 23rd. re: fees.

New business:

Ron Doles cannot attend the February and March meetings.

Adjourned: 9:15 pm

submitted by,


Margaret Kazenmayer
Secretary

MEMBERS PRESENT: L. Sullivan, K. Schneider, R. Doles, J. VanSchoick,
E. Wagner, C. R. King, S. Yatter, R. Griffith.

ABSENT: E. Piotrowski

The meeting was called to order at 8:00 p.m. by Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice had been given to the Coast Star and Asbury Park Press.

Application 5-84 - Raymond Berardi and James Berardi - 52 Rogers avenue

Raymond and James Berardi were sworn in by Mr. Ragan. Exhibits A-1 through A-5 were marked as evidence. Raymond Berardi testified that the house was built in 1947 and had always been a two family. The rear dormer was put on in 1975, a building permit was given without a variance at that time. Board members felt the permit was issued in error. Mr. Berardi's father is almost blind and needs his son to live on the premises. Mr. Berardi plans to marry on March 4th and hopes to have the expansion under way by that time. There will not be an increase in the square footage of floor. The expansion will give more head room only. The apartment does have a separate entrance, kitchen, bath, living room and bedroom. When the dormer is complete a siding job will be done on the whole house. Robert Griffith felt it was an expansion of a non-conforming property and objected to it. Ronald Doles moved to close the public meeting. James VanSchoick moved a favorable resolution be read seconded by Evelyn Wagner. Mr. Ragan read the memorialized resolution, it was moved by James VanSchoick, seconded by Evelyn Wagner and carried by the following vote: yes; L. Sullivan, K. Schneider, R. Doles, J. VanSchoick, E. Wagner, S. Yatter. No; R. Griffiths. Abstain; C. R. King.

Ajourned: 8:45 p.m.


Margaret D. Kazenmayer
Secretary to the Zoning
Board of Adjustment of the
Borough of Manasquan

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - 9/18/85

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

The meeting was called to order at 8:00 pm by C. R. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the August meeting was approved. An 11:00 pm time limit was voted for this meeting.

Reslution 14-85 was read by Mr. Ragan, moved by J. mastrian, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. King, R. Griffith, J. Mastrian.

Resolution 17-85 was ^{read} by Mr. Ragan, moved by S. Yatter, seconded by E. Wagner and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 20-85 - Robert Davis, 112 Second Avenue - cont'd

Site inspection was discussed. J. VanSchoick asked about deck, and a permit had been issued. No permit was recorded for a deck at this address. J. Mastrian asked if deck foundation was strong enough to hold roof. Asked if Mr. Miller, C. O. could inspect before next meeting. S. Yatter noticed the house next door had enclosed the porch, he wondered if it could be used for sleeping. Mr. Davis responded that he was not interested in bedroom space, just wanted open deck with roof. Application will be continued next month. No comments from audience.

Application 16-85 - Avon Corp - 69, 69½ Sea Girt Avenue - cont'd

Attorney: Thomas O'Brien - Mr. VanSchoick chaired this hearing, Mr. King was excused.

Additional exhibits A-17 thru A-19 were marked into evidence. Mr. O'Brien introduced a letter from Wm. Farrell, Boro Engr. In it, Mr. Farrell approved of all the plans for the project, but he favors a Condo style arrangement because of property configuration. Mr. Farrell give not give any reasons for his preference. Mr. O'Brien said Mr. Pandolphe wishes to proceed as planned originally.

Mr. Geller, Crest Engr., Bricktown, was sworn in as an expert witness in planning and engineering. Mr. Geller prefers that the road blong to the Boro, so they have jurisdiction. Mr. Yatter questioned Mr. Geller on density. Asked if single family houses couldn't be built. Mr. Geller replied that drainage costs to satisfy the Engineer, added to cost of project would be too costly. They need 13 units to offset costs. Mr. Geller added, you could only put 4 or 5 houses with 5,000 sq. ft. lots. He said the unusual shape of the dlots defies building individual lots of 50' x 100'. Mr. Geller considers 13 units reasonable use of land.

r. Pandolphe discussed Mr. Farrell's letter. He said he never intended to use a Condo concept. He prefers private ownership of houses and land. He feels people like to own their own land and its a better selling point. The houses will sell for approx. \$150 to \$175,000, Condos would be a little cheaper. Mr. Pandolphe stated that in 1974 apartments were turned down and in 1976 single houses were turned down by the Board. This is all that is left to build.

Mr. VanSchoick asked for comments from the audience:

Mr. Casey, 19 Spruce Avenue - Stated Mr. Pandolphe knew property was non-conforming when he bought it.

Mr. Eckensberger, Broad St. - He wants improvement to property.

Mr. Richards, Willow Way - Wants compromise on density, worried about parking.

Mr. Davis, Old Squan Rd. - Worried about density.

Mr. Budecki, Broad St. - Wants project, tired of looking at garbage in rear.

Mr. Swader, Broad St. - In favor of project.

Mr. Slaboda, Old Squan Rd. - Against density and parking.

Nancy Walsh, Cherry Pl. - objects to density, wants Avon Corp. to clean up property.

Mr. Apostalu, Cherry Pl. - In favor of project because of hazard presented by chemicals, oil, etc.

Mr. Glitch, Broad St. - In favor of project, parking will not be a problem, children will not be problem, too costly.

S. Hurley, Sea Girt Ave. - In favor of project, her house next to property, feels majority of those present tonight are in favor.

Rosemary Glitch, Broad St., applauds Mr. Pandolphe's efforts to clean up area.

Sharon Walsh, Cherry Pl., doesn't want to see 2.5 x 13 people in this area.

Jerry Iannelli, Code Enforcement Officer spoke in favor of the project. He said his office and other officials of the Borough were in favor of the project. He also stated that his office and the fire official were constantly in there now for violations. It was hard to patrol and catch violators unless you had a 24 hour vigil. He feels area is time bomb waiting to explode. He worries about fire storm, if garages go up in flames.

Mrs Clancy, Sea Girt Ave., in favor of project, wants slum cleared up.

Jerry Clancy, Sea Girt Ave., infavor of project, nothing is left, but this.

Mr. Christopher, attorney for a group of neighbors summed up his position. He feels the application is not a positive thing, there is too much density. Mr. Pandolphe wants to make money and is trying to extort 13 units out of the Board. Ordinance calls for 6 units per acre, wants Board to stick to zoning.

Mr. O'Brien, attorney for Avon Corp. summed up as follows: He feels Mr. Christopher did not listen to tapes of previous meetings or he would have heard Mr. Dinkledge give 16 points in testimony establishing criteria for project. Mr. O'Brien feels the record supports the application and the Architect, Planner, and Engineer think it should be approved.

Public meeting was closed. Mr. Mastrian reported to the Board that he had previous record of application made to the Planning Board in 1976 for single family homes, which he had read for background information. All things considered, Mr. Mastrian feels the present application is reasonable.

Mr. Yatter is against proposal because of density.

Mr. Doles responds to safety of children because of hazards, not parking or other problems.

Mr. Schneider stated single families of 6 or 7 in 5 or 6 houses could add up to 2.5 people in 13 units. Mrs. Wagner in favor of use.

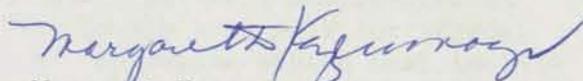
Mr. VanSchoick established that everyone on board had visited site.

Mr. Mastrian moved a favorable resolution for 13 attached units, seconded by Mrs. Wagner, and carried by the following vote: yes; K. Schnieder, R. Doles, J. VanSchoick, E. Wagner, R. Griffith, J. Mastrian. No; S. Yatter.

New Business:

Chicant Corp. wants to apply for a new hearing, tapes of previous hearing could not be transcribed. Mr. Ragan suggested they submit an application and fee just as though it was not heard before. Board agreed.

Board voted to waive fee on 2534 Holding Co. (Elks) on application 23-85.


Margaret Kazenmayer,
Sec'y to the Board of ADJ.

MEMBERS PRESENT: S. Yatter, K. Schneider, R. Doles, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian

ABSENT: L. Sullivan

The meeting was called to order at 8:00 pm by C. R. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the July meeting were approved. An 11:00 pm time limit was voted for this meeting.

Resolution 15-85, was read by Mr. Ragan, moved by J. Mastrian, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian. No; R. Griffiths.

Application 14-85 - Thomas Trezza, Third Avenue, vacant lot, cont'd

Scott Jamison, Attorney

Mr. Trezza agreed to make the house 17' wide instead of the planned 19' wide. Mr. Mastrian said that during the site inspection Mr. King made a good suggestion; namely that 8' be left on the south side of the house for a driveway and make a zero lot line on the north. This would allow parking in the rear.

The Board agreed that this was a favorable solution and so did Mr. Trezza. Mr. Mastrian moved to close the Public meeting.

The Board wants the following in the resolution: 8' will be maintained on the south side of the house for a driveway to rear parking. They will leave the north setback to Daniel Miller, Construction Official, if possible the Board agrees to a zero setback on the north side with all other setbacks according to the zoning. There will be no front yard parking. A favorable resolution was moved by Mr. Mastrian, seconded by K. Schneider.

Application 16-85, Avon Corp - 69 & 69½ Sea Girt Avenue - cont'd

Thomas O'Brien, attorney - Hearing chaired by J. VanSchoick, Vice-Chairman

Mr. O'Brien concluded his presentation on the Use Variance. T & M Engineers for the Boro consulted with Mr. Strong, Avon Corp. engineer, plans are not complete. Mr. O'Brien asked Board to vote on use, the most important aspect of case.

Mr. Edward Christopher asked to represent the neighbors objecting to the variance, he will submit a list of his clients by the next meeting. Mr. Christopher stated he did not have much time to review the case, but he feels that no cost determination on 5 or 6 single detached homes was made. The Board is responsible for the development of the town and should have all the facts before making a decision. Density is another negative factor he feels should be addressed by the Board. Mr. O'Brien replied that the burden is not on his client to prove only attached housing is feasible. All the facts have been before the Board and he feels the use part of the variance is closed. Minutes show that no vote was taken at the July meeting to close the public meeting. Mr. Pandolphe testified that no other use, only a 13 unit attached housing development will be built, he will not reduce the density or build detached housing. He asked for a vote on the use variance tonight. This is a crucial part of his plan. Mr. Mastrian asked applicant to wait another month and present engineering plans, before the Board votes. It will also give Mr. Christopher time to research his case. Mr. O'Brien consented to waive the time limit. Mrs. Wagner asked to be on the record that she is prepared to vote on the use tonight.. Mr. Doles feels objectors should be given change to speak before vote. An incomplete list of objectors was given as follows: Burke, 15 Spruce; Dalton, 50 Willow; Hart, Sea Girt Ave.; Charlton, Willow; McCabe, Old Squan; Schulz, Old Squan; Sloboda, Old Squan; Davis, Old Squan; Richards, Willow and Robbins, Old Squan.

Application 17-85 - Mark Heinze - 381 First Avenue - cont'd

Site inspection was favorable. Application amended to include rear shower, as well as rear addition. Vote to Close Public meeting. Favorable resolution was moved by J. VanSchoick, seconded by K. Schneider.

Application 18-85 - Drawbridge Restaurant - 361 Brielle Rd. - cont'd

John Guinco, attorney

Site inspection was favorable. Mr. Guinco presented the Schride Assoc. original Traffic Engr. plan. The plan concluded that there was no detriment to traffic patterns. Public meeting was closed. Favorable resolution was moved by J. Mastrian, seconded by R. Doles. The resolution will contain the requirement that all landscaping will be done and maintained as presented in the landscaping plan. The favorable resolution was read by Mr. Ragan, moved by J. Mastrian, seconded R. Doles and carried by the following vote: yes; S. Yatter, K. Schneider, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 20-85 - Robert Davis - 112 Second Avenue

Mr. Davis wishes to cover existing deck with roof, will not enclose. The house is used for summer occupancy only, not winterized. Mr. Davis submitted pictures of the deck. Site inspection was voted, each member will visit on his own. Continue hearing in Sept.

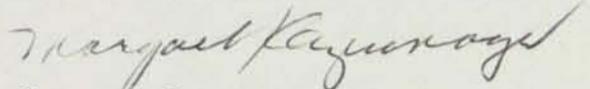
Old business: Seminar in Wall Twp. 3 Board members will attend.

Dinner: Sam suggested P. J. Ruggles for dinner. Board voted on Monday Sept. 30th. 7:30 pm.

New Business:

Board voted to answer Chicant Corp. complaint. Mr. Ragan will do so.

Board voted to delay all new applications until Oct. meeting.


Margaret Kazenmayer
Secretary

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, J. VanSchoick
E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

The meeting was called to order at 8:00 pm by C. R. King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the June meeting were approved. An eleven o'clock time limit was voted for this meeting.

Resolution 10-85 was read by Mr. Ragan, moved by J. Mastrian seconded by J. VanSchoick and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. King, R. Griffiths, J. Mastrian.

Resolution 13-85 was read by Mr. Ragan, moved by E. Wagner, seconded by J. Van Schoick and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. King. no; R. Griffiths and J. Mastrian.

Application 14-85 - Thomas Trezza - Third Avenue - vacant lot, cont'd
Atty: Keith Henderson

Site inspection showed a parking problem, 7 cars were parked during the inspection, where do these cars go? Also, board objects to parking on front lawn.

Mr. Henderson called Mr. Trezza to testify. He said he couldn't buy property on either side of him. He would put a driveway to the right of the house for 2 cars, but this would not be on the side of house, but in the front. He would have about 10' of lawn. Some houses in area have same problem.

Lt. Osborn testified that Manasquan does not have an ordinance prohibiting parking on the front lawn.

Sam Yatter asked if house could be 17' wide instead of 19', he could go along with that. Mr. Trezza was asked to waive time limit, he agreed. Mr. Ragan said we must let the land owner use the property, can't make him leave land vacant. Mr. Doles objects to cars on front lawn. Continue hearing in August.

Application 16-85 - Avon Corp. - 69, 69½ Sea Girt Avenue, cont'd

Mr. VanSchoick took over the Chairmanship from Mr. King.

Mr. O'Brien, attorney, asked if members absent from the July meeting had listened to the tapes; Mr. Sullivan listened, Mr. Doles did not, but said he would do so before the August meeting. Mr. O'Brien explained the engineering plans are not finished, due to changes to accommodate neighbors.

Mr. Pandolphe explained the site plan changes: height of buildings, rear retaining walls, shifted units architecturally and eliminated one unit for space and air. All re-designed units to be one story around cul-de-sac. Two story only on entrance street. Board will get new plans. Re-designed flow - two catch basins on new cul-de-sac and one catch basin on cherry Pl. This means retaining wall dropped down or eliminated, and no fence on wall. Mr. Pandolphe will give plan to T & M Assoc. before presenting plans to the Board. New drawing A-15, A-16 were submitted.

Mr. Mastrian said zoning call for 11 units per acre. Mr. Pandolphe said he could not do it economically and would withdraw the application before reducing the amount of units again.

Mr. King, Spruce Pl. asked if it would be an Adult Community. Mr. Pandolphe would rather not, but would if pressed. The Monmouth County Planning Board says 2.5 persons is the density on a two bedroom unit.

Mr. Clark, Cherry Pl. asked if the backyards going into cherry pl. could be blocked off so people would not park on Cherry Pl. and cut across the yards to the units. Mr. Pandolphe said the yards will be blocked. Mr. Clark also asked about adequate water and sewer lines. Mr. Pandolphe said engineering plans would take care of that.

Mrs. Walsh, Cherry Pl. asked why drains can't be in Sea Girt Avenue - no pipes on Sea Girt Ave.

Mr. Pandolphe said construction cost of units would be about 90,000 each, but that did not include Attorney fees, engineering and all other fees to prepare development.

Mr. O'Brien called Mark Apostalu, 15 Cherry Place and he was sworn in. He testified he has lived in area 25 years and was in favor of the application because of odors, vermin, workers and environmental hazards in the Mueller yard. Mr. Apostalu would rather single family detached homes, but feels that is not realistic and so he is in favor of attached housing, providing the engineering problems are solved.

Mrs. Herlihy, 71 Sea Girt Ave. was sworn in. She feels she is the most affected by the application and is in favor of it, as long as the engineering is approved.

Mr. O'Brien asked if Board would vote on "use" part of application tonight (need use variance because housing is attached.) If use variance granted they would continue with engineering plans. If use variance is not granted it is useless to continue with further expense of engineering plans.

Board did not wish to vote on variance, but a pole of the Board showed there were no stated objections to the concept.

Hearing will be continued next month.

Application 15-85 - Michael Brennen - Deep Creek Dr. vacant lot - cont'd

Board discussed site inspection. Not happy with 3' rear yard on one end. Worried about possible future development in area. Property in rear owned by American Timber. Board asked Mr. Brennen to amend application to make house 28' x 50', which would make the rear corner 5' from line. Mr. Brennen agreed to make house 28' x 50'. Public meeting was closed. Mr. Yatter moved a favorable resolution be drawn, seconded by Mr. VanSchoick.

Application 17-85 - Mark Heinze - 381 First Avenue

Exhibits A-1 thru A-9 were marked into evidence. Mr. Heinze wishes to build an addition on the rear of his house for a bedroom and sitting area. They are the smallest house in the area, all other houses are larger. They occupy the premises. Site inspection voted for July 20th. Hearing will continue next month.

Application 16-85 - Drawbridge Restaurant - 361 Brielle Rd.

Michael Soranno, owner

Michael Gross, Attorney

Exhibits A-1 through A-9 were marked into evidence.

The property in question was originally a B-2 zone or business. It was zoned Residential was Schride Assoc. submitted their development plan for block 136. Mr. Soranno wishes to purchase two lots from Schride to use as a parking lot for the restaurant. Drawbridge uses the lots now for parking, with permission from Schride. Mr. Wm. Birdsall was called as an expert witness. He testified that the parking lot will be landscaped and will be surrounded on three sides by streets, one side on the residential zone. To the east and west are parking lots to serve the fishing pier that is planned. Patrons to the restaurant will use Brielle Rd. and the new sub-division to park, if the variance is not granted. Mr. Birdsall does not see any adverse impact on the area. The two lots in question will only be used as parking lots. Mr. Daniel Soranno, Morris Plains, N. J. was sworn in. He testified that 25 cars can be parked on the lots. There will be no charge to patrons using restaurant. If Board wishes a sign will be posted saying "No Parking - Patrons only." The Board asked to amend the application to ask for eye level sign 2' x 3' on easterly side. Lots will be landscaped and illuminated. Mr. King wants traffic study done for Schride Dev. Mr. George Stamos, developer for Schride testified there would be no detrimental effects to sub-div. from parking lots. Board asked that property be staked out for a site inspection July 20th. Hearing will be continued in August.

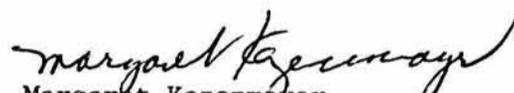
Old business:

Mr. Mastrian told Board Mr. Sa replaced three walls instead of one, according to his variance. Sec. said Dan Miller gave permission for safety reasons. Mr. Sudol chimney ok, Board gave permission to extend.

Mr. Yatter suggested we go to dinner at PJ Ruggles, the cost would be about \$20.00 per.

Adjourned: 11:15 pm

submitted by,


Margaret Kazenmeyer
Secretary

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 6/19/85

MEMBERS PRESENT: S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

ABSENT: L. Sullivan, R. Doles.

The meeting was called to order at 8:00 pm by C. R. King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was 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.

Minutes of the May meeting were approved. Minutes of the special meeting May 28th were approved.

X Resolution 5-85, was read by Peter Ragan, moved by S. Yatter, seconded by J. Mastrian and carried by the following vote: yes; S. Yatter, J. VanSchoick, R. Griffiths, J. Mastrian. No; K. Schneider, E. Wagner.

Resolution 11-85, was read by Peter Ragan, moved by James VanSchoick, seconded by E. Wagner and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

A vote was taken to limit the time of the hearing to 11 pm.

Application 10-85 - Michael & Stephen Cosentino - 18 Pearce Ave. Cont'd

New site plan was submitted dated 6/10/85 and marked as exhibit A-12. The lighting plan includes 9 landscaping lights, 4 in front, 2 on side, 1 in rear and two on each rear corner, low wattage. Planter boxes will buffer lights so cars cannot run over, appropriate shrubs will be planted.

Seven parking spaces are available, only 5 are required by zoning. Mr. Cosentino feels the Colonial front would be an undue hardship and asked the board to consider T-111, the Board agreed that T-111 would be satisfactory. A timing device will be provided for lights and any necessary equipment if there is interference with neighboring TV's. The public meeting was closed. Mr. Mastrian said all questions were answered to his satisfaction and he moved a favorable resolution be drawn, seconded by S. Yatter and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 13-85 - Robert Dombal - 66-68 Ocean Avenue - cont'd

Amended application - 2 houses on one front lot, 1 house on rear lot. Mr. Kean, attorney will supply new application administratively. Time limit waived. Public hearing closed. Mr. Mastrian and Mr. Griffiths are not in favor - do not like density, adding another unit with no subtraction of unit on front lot. Has strong feelings about density and easement for access to rear, feel houses too close. Mr. Kean will submit maps showing permanent easement, to all municipal authorities. E. Wagner moved a favorable resolution be drawn, seconded by J. VanSchoick, and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King. No; R. Griffiths, J. Mastrian.

Application 14-85 - Thomas Trezza - Third Avenue vacant lot
Scott Jamison, Attorney

Exhibits A-1 to A-9 were marked into evidence. Mr. Trezza wishes to construct a summer home on property owned at present by I. B. Kirsch. Mr. Kirsch uses the lot as a parking lot, during the summer. The lot measures 25' x 100'. Mr. Trezza wishes to have a 30' front yard and 3' side yards. He needs the extra 2' to build the house he needs. The front width of the lot is 75% of the required 40', so a variance is not required for that, just for side yards and the total sq. ft. of lot.

Bob Wood, 54 N. MainSt., Realtor, testified for Mr. Trezza. He said the property was vacant as long as he can remember and there is no vacant land near the property. He feels it is not detrimental to zoning and will up grade area. Mr. Trezza is a builder and will do a proper job.

Mr. Kovats, 222 Third Ave. asked about parking of cars. Mr. Trezza said two cars will be parked on front lawn.

Gary Walsh, 231 Third Ave. thinks there is an ordinance against parking on the front lawn. He also wants to know if house will be used for personal use or rented? Mr. Trezza will use house for own use. Site inspection was voted for July 13th. Board asked that house be staked out.

Application 15-85 - Deep Creek Dr. vacant lot - Michael Brennan
E. Thomas Brennan, Jr. Attorney

Exhibits A-1 to A-8 were marked into evidence. Mr. Michael Brennan wishes to purchase lot and build a house. Before purchasing lot he wants to be sure he can build on it. The plan shows the front yard set back will be 25', he is asking for a variance for the rear yard only. Mr. Mastrian and Mr. Griffith not happy with plot plan. Want plans with dimensions and the type of house. Do not like giving carte blanche variance, want definite plans. Mr. Thomas Brennan said he does not want to be restricted to type of house to be constructed at this time. Mr. Ragan said foundation dimensions are enough does not need architectural style. Site inspections was voted for July 13th. Board wants foundation staked out showing 8' set back on north side.

Application 16-85 - Avon Hotel Corp. - 69 & 69½ Sea Girt Avenue

Thomas E. O'Brien, Attorney - Exhibits A-1 through A-14 were marked as evidence.

Mr. King, Chairman of the Board excused himself from this hearing, as he was directly affected and had been served notice. Mr. O'Brien asked if absent members would listen to the tapes before the next meeting, so the full board would be hearing the application. The Secretary said the absent members would be asked to do so.

J. VAN SCHOICK, VICE-CHAIRMAN TOOK OVER MEETING FOR MR. KING.
The Avon Hotel Corp. is asking the Board of Adjustment for a variance to construct a 14 unit development of single family attached homes in what is now know as the "Mueller Yard". The Corp. will seek a major sub-division later - each unit will own the property, it will NOT be a condo type arrangement. The site plan will be amended for the next meeting showing 14 individual lots.

Mr. Pandolphe introduced photos of the property as it is now, with 15 or 16 tenants. The frontage on Sea Girt Ave. is 91', house is 70'. He also showed a survey showing rear buildings and an over all view of existing structures. All existing structures on the property will be demolished including the house on Sea Girt Ave. Mr. Pandolphe's aim is: low density development, conform to neighborhood, appease Cherry Place and make a profit. The design was developed because of the peculiar shape of the property, the architect described it as "a rectangle leading into a square", that is very difficult to work with. One and ~~two~~ story units are planned, because a break in the line of single stories will look ^{BETTER} however they could make all single story. The rear of of the property is 5' lower than Sea Girt Ave., a retaining wall and fence will have to be built. Most flow is to Sea Girt Ave. and some to Cherry Place. The Corp. is willing do whatever the experts advise for the drainage problem. The Corp. is aiming at the adult market, houses would be small for a family. The price range will be between 150 and 175,000. All houses will have basements. The Chairman asked for questions from the audience.

Paul Gleitz, 223 Broad St. - Asked # of bedrooms (2).

Maureen Walsh, Cherry Place - objects to attached housing. She bought her house with the understanding it was a residential area zoned for single family homes.

C. R. King, 26 Spruce Ave. - Concerned about retaining wall being 5' in some places. Wants toxic waste tests for the area before building, because of the history of the place. He also asked about zero lot line and if the road will be turned over to the Boro. Mr. King said rodent extermination before demolition would be necessary.

Rosemary Gleitz, 223 Broad St. asked if the only unit to have 5 attached house would be at the Sea Girt Ave. entrance. (yes).

Mark Apostolo, Cherry Place is concerned about drainage.

Gail Sara, 46 Willow Way asked if there are balconies or porches on rear of units - No, only grade patios.

Mr. Ray Dinkledge, architect for the development was sworn in. Mr. Dinkledge explained the difference between single family residence and the proposed units is a common wall, and in some instances could be called a zero lot line. Mr. Dinkledge said they are asking for C and D variances for special reasons:

1. Tax advantage
2. Promotes health, morals and general welfare.
3. Safety from fire and flood
4. No conflict with municipalities or State.
5. Preservation of Environment.
6. Promote esthetics.
7. Prevent degradation of environment.
8. More efficient use of land.
9. Promote conservation of energy.

Mr. O'Brien and Mr. Dinkledge agreed that this application would come under the new broad "C" variance by reason of extraordinary and exceptional circumstances of the piece of property. Other reasons listed were:

1. Near roads, R. R., beach, shopping.
2. Residential area.
3. Criteria of Cole and Fairlawn case fits this case.
4. Property development serves general welfare.
5. Highest and best use.

6. Not a detriment to the public good.
7. More conforming to zone than what is presently there.
8. Blends with neighbors.
9. Serving general welfare.
10. Closer to zoning than present use.
11. Boro Master plan supports Mr. Dinkledge's testimony.

Mr. Mastrian asked how many single family detached homes could be put on the area. Mr. Pandolphe replied that only five or six houses could be built and an in depth study showed only way feasible is attached dwellings. If he can't put attached dwellings, the area will stay the way it is.

Robert Davis, 36 Old Squan Rd. asked how many occupants in a 2 bedroom house. Mr. Dinkledge replied 2.5, but will research.

Mr. King, 26 Spruce said it looks like a PUD it him. Mr. Dinkledge disagreed. Mr. King said Board should follow zoning ordinance rather than Master Plan for guidance. Mr. Obrien will introduce other experts at July meeting including Crest Engr. Assoc.

Old business: Mr. Yatter reported that dinner at the Drawbridge Monday to Thursday is \$13.00 per.

Mr. Mastrian reported on the Collins and Exxon variance and said they adhered to the resolutions granted. Sa and Sudol construction does not.

Adjourned 11:15 pm.


Margaret Kazenmayer
Secretary

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT - May 15, 1985

MEMBERS PRESENT: L. Sullivan, S. Yatter, R. Doles, J. Vanschoick, E. Wagner,
C. R. King, R. Griffiths, J. Mastrian.

ABSENT: K. Schneider

The meeting was called to order at 8:00 pm by Raymond King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open public meetings act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the April meeting were approved.

Resolution 5-85, was read by Mr. Ragan, moved by R. Doles seconded by J. VanSchoick and defeated by the following vote: yes; R. Doles, J. VanSchoick, E. Wagner, No: S. Yatter, R. Griffiths, J. Mastrian. Mr. Ragan said he would have a negative resolution drawn up for the June meeting. The board voted to have said resolution drawn.

Resolution 6-85, was read by Mr. Ragan moved by J. VanSchoick, seconded by E. Wagner and carried by the following vote: yes; S. Yatter, R. Doles, J. VanSchoick, E. Wagner, C. R. King. No: R. Griffiths.

Application 8-85 - Anthony Sa - 329 Beachfront - Cont'd

Site inspection discussed. Mr. Doles feels the addition will add to the appearance. Mr. Ragan marked addition drawings into evidence. Deck will be 12' (existing deck 6' x 7') New deck stairs will be sideways. No objectors present. Voted to close public meeting. Site inspection corroborated testimony. Mr. Ragan was asked to read prepared resolution.

Resolution 8-85 was read by Mr. Ragan, moved by J. VanSchoick, seconded by E. Wagner, and carried by the following vote: yes; S. Yatter, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 9-85 - John Buglino - 53 Beachfront - Cont'd

Site inspection favorable and corroborated testimony. It will not be a business office, but a home study. Closed public meeting. Mr. Ragan was asked to read the prepared resolution.

Resolution 9-85 was read by Mr. Ragan, moved by J. VanSchoick, seconded by J. Mastrian and carried by the following vote: yes; S. Yatter, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 10-85 - Michael & Stephen Cosentino - 18 Pearce Ave. - Cont'd

Mr. Cosentino brought architectural drawings showing lighting. 75W bulb on each side of front door. Rear will have landscape light (showed brochure, 3' high) Architect advised putting lights 10' from back line facing parking lot, not to shine outward. One light in driveway 3' high. Mr. King asked at last meeting for landscaping, lights, parking and front facade of bldg. to be made colonial. Mr. Cosentino said colonial facade would cost \$4500. and he is not prepared to spend that. Mr. Mastrian suggested putting a description of light in the catalog as an example of one to be used. Mr. King wants lights protected by curbing or shrubs. Mr. King objects to awnings. Mr. Mastrian is in favor of T111 finish. No objectors were present. Mrs. Wagner approves of the plan as presented. Mr. King wishes applicant to return with requested drawings. Applicant waived time limit. Motion was made to continue next month, without further notification.

Application 11-85 - Edith Foland - 559 Perch Ave. - Cont'd

Mrs. Foland wishes to enclose front porch, will not extend past neighbors homes. Vinyl siding on entire house. No heat. Wishes to live there. Site inspection voted down. No objectors. Closed public meeting. Voted to draw a favorable resolution.

Application 12-85 - Joseph McGadey - 52 Marcellus Avenue

Presently has two family house. Needs extra bedroom in the second floor apartment for children. The apartment presently has 2 bedrooms, living room kitchen and bath. He also wants a deck over the downstairs kitchen so they have a second entrance. First floor has 1 bedroom apt. Started work without permit, Construction Official allowed roof to be covered until board makes decision.

Mr. O'Donnell, 45 Marcellus, asked what floor dormer was going on? Site inspection was voted. Will continue next month. Will draw favorable resolution pending outcome of site inspection.

Application 13-85 - Robert Dombal - 66-68 Ocean Avenue

Attorney: Stephen Kean

Exhibits A-1 thru A-9 were marked into evidence. Mr. Dombal wishes to sub-divide lots 17A and 17B into three lots. Mr. Dombal explained page by page exhibit A-6. The two houses facing on Ocean Avenue have been renovated, but not winterized. Mr. Dombal will live in one house and rent the other. The new to be built on the rear lot will be used by his parents. The new house will have a min. of 15' between the house on the east side and 27' from the house on the west side. The house will be in line with other houses on the creek. Mr. Kean quoted Mr. Miller, construction official as saying there was not problem with 10' driveway easement for ambulance or fire apparatus. Mr. Dombal does not wish to sell the property in the foreseeable future, but will keep it for his heirs.

Mr. Ragan asked why a sub-division was needed. Mr. Dombal explained his theory, that one family would have difficulty using whole property and would rent. Also it would be very expensive to buy a plot with three houses on it. Separately, they would be bought and used by families. Presently there is one water - this will be replaced by three, if variance granted.

Jerry Santor, 74½ Ocean Ave. asked questions concerning sq. ft. of house, if 2 story, and living space.

Bill Wight, 206 E. Main St. testified as an expert real estate witness. He explained schedule pertaining to other properties in neighborhood and aerial pictures of the area. Also a tax map showing how many properties have been sub-divided. He feels the sub-division is a positive thing and makes the house more valuable. He thinks the project will up grade the neighborhood and cannot see any negative results.

Board voted for a site inspection, will continue next month.

New business: Sam Yatter suggested the Board members get together every year for a dinner. He will research and report back.

No further ^{news} on Wall Twp. seminar.

Adjourned 10:45.


Margaret Kazenmayer
Secretary

MINUTES OF SPECIAL MEETING OF BOARD OF ADJUSTMENT 5/28/85

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King,
R. Griffiths.

ABSENT: R. Doles, E. Wagner, J. Mastrian.

The special meeting was called to order at 7:30 pm by Raymond King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings act of 1975. Notice had been given to the Coast Star.

Application 12-85 - Joseph McGadey - 52 Marcellus Avenue

Mr. Yatter was in favor of the application. He felt the site inspection verified the testimony given. No objectors were present. Public meeting closed. As instructed during the regular May meeting, Mr. Ragan prepared a favorable resolution to be read at the special meeting, if approved.

Resolution 12-85 was read by Mr. Ragan, moved by K. Schneider, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths.

Adjourned at 8:10 pm.



Margaret Kazenmayer
Secretary

MINUTES OF MEETING OF MANASQUAN ZONING BOARD OF ADJUSTMENT - April 17, 1985

MEMBERS PRESENT: S. Yatter, K. Schneider, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

MEMBERS ABSENT: L. Sullivan

The meeting was called to order at 8:00 pm by C. R. King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the March meeting were approved.

Resolution 2-85 was read by Mr. Blankenhorn, moved by J. VanSchoick, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, and R. Griffiths.

Resolution 4-85 was read by Mrs. Wagner, moved by J. VanSchoick, seconded by E. Wagner and carried by the following vote; yes; S. Yatter, K. Schneider, J. VanSchoick, W. Wagner, R. King, R. Griffiths, J. Mastrian.

Application 5-85 - Chicant Corp. - 165 Beachfront - cont'd

No further evidence will be offered by Chicant Corp. Mr. King asked audience for comments. Mr. Noel Hood, 161 Beachfront stated he was against added density represented by the new construction. Mr. Yatter is against the variance because he feels the foundation should be re-constructed. Ida Hood, 161 Beachfront objected to the outside stairs, she said Board made her put stairs inside. A discussion was held concerning this, all agreed the stairs should be left in the original place, as planned. Mr. Blankenhorn reported that the Chicant Corp. is registered in N. J. to do business.

A motion was made to close the public meeting. Board member expressed concern over selling of individual units as condo's. Attorney said this was not part of application and the Board could not bar it. He also determined this was a "D" variance. Mrs. Wagner made a motion to draw a favorable resolution, seconded by K. Schneider and denied by the following vote: yes; K. Schneider, R. Doles, J. VanSchoick, E. Wagner. NO; S. Yatter, R. Griffiths, J. Mastrian.

Application 6-85 - Edward Dadson - 25 First Ave. - cont'd

A discussion was held on the site inspection. Mr. King does not want a second kitchen to appear at a later date. It could be prohibited in the resolution, according to our attorney. Mr. Mastrian feels the same, doesn't want an illegal apartment in the future. Mr. Dadson assured the Board he and his family will be living there. Mr. Doles concerned about six bedrooms, feels it is unusually large. Mr. Dadson said one bedroom will be used as dining room, leaving five bedrooms. Mr. Doles feels a 5 bedroom house is out of character for the neighborhood. Mr. Yatter wants deed restriction - one kitchen, one family. Mr. Burke, Stockton Ave. spoke in favor of the application. He has a five bedroom house right around the corner from Mr. Dadson.

The public meeting was closed. The Board asked for a deed restriction stating the house will remain a one family with one kitchen. Mrs. Wagner moved a favorable resolution, seconded by Mr. VanSchoick. and carried by the following vote: yes; S. Yatter, K. Schneider, R. Doles, J. VanSchoick, E. Wagner, C. R. King. No; R. Griffiths.

Application 8-85 - Anthony Sa - 329 Beachfront

exhibits marked A-1 to A-11. Mr. Sa wishes to add a partial second floor to the existing house. ~~Two~~ ^{two} bedroom will be added on the second floor and ~~two~~ ^{two} eliminated on the first floor. House will be completely renovated on inside. They wish to expand the existing deck in rear yard by 5 ft. They also wish to put a deck in front over existing porch. Renovations will not extend beyond present foundation lines, and house will be resided. Mr. Beebe, Beachfront, spoke in favor of variance. Board voted a site inspection Apr. 20th 9 am. Motion was made to continue public meeting in May. A favorable resolution will be drawn for May meeting, if site inspection corroborates testimony.

Application 7-85 - Robert Doolittle - 31 Colby Ave. - cont'd

Site inspection corroborated testimony. Mr. Doolittle agreed to install a rear door in building. Public meeting closed.

Resolution 7-85 was read read by Mr. Blankenhorn, moved by J. VanSchoick, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

Application 9-85 - J. Buglino - 53 Beachfront

Exhibits A-1 to A-18 were marked into evidence. Mr. Buglino wishes to enclose one half of a rear porch to use as an office. He presently uses part of his bedroom for an office. Site inspection Apr. 20. Resolution will be prepared and read, if site inspection

corroborates testimony. Public hearing will continue at May meeting.

Application 10-85 - Michael Cosentino - 18 Pearce Avenue

Scott Jamison, Attorney

Exhibits A-1 to A-11 were marked into evidence. Mr. Cosentino wishes to change the Use of the building from non-conforming B-1 use to non-conforming C office commercial use. Mr. Cosentino plans to renovate the interior of the building, making 2 separate offices, each with a bathroom and separate utilities. Outside is presently gray stone which he will change to T-111 siding. There are 10 parking spots on property. The new use will raise standard to professional, however, it will not change the zoning from residential to commercial, just the use.

Charles Preston, 25 Pearce Avenue asked what type signs will be used - wall mounted only.

Davide Krajewski - 25 Parker Avenue - Does not want commercial/office area spreading.
No free-standing signs.

Kathy Troast - 33 Parker - Wishes back of bldg. to be renovated also. She wishes to know what kind of lighting will be used. Mr. King suggested that Mr. Cosentino bring a plan to show lighting.

George Dempsey - 140 Main St. - Feels this a cleaner operation and is in favor of it.

Gary Preston - 34 Beams Terr. - worried about signs.

Wilbur Moore - former owner of Car Conditioning - He said he had 12 to 14 cars in there at one time and can't beleive this isn't better.

Jerry Iannelli, Code Enforcement Officer - He's in favor of offices. They are a cleaner better operation instead of past tenant's.

Kathy Troast - 33 Parker - Asks the Board to please consider parking, signs, lighting in relation to neighbors.

Mr. King asked Mr. Cosentino to change the front to a more colonial look and present a lighting plan to the board next month. A site inspection was voted for Apr. 20th 9:30 am. The public meeting will continue in May.

No old or new business.

Adjourned 10:45 pm.



Margaret Kazenmayer
Secretary to the Board
of Adjustment

MINUTES OF THE MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING - March 20, 1985

Members present: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian.

Absent: R. Doles.

The meeting was called to order at 8:00 pm by Raymond King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the February were approved.

Application 2-85 - John Sudol - 405 Beachfront - continued

Site inspection was discussed, no objections, however Jim Mastrian objected to the fact that the project was started before getting permission. K. Schneider moved to close the public meeting. K. Schneider moved a favorable resolution, seconded by S. Yatter and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. Girffiths. No; J. Mastrian. Abstain; R. King, L. Sullivan.

Application 4-85 - Exxon Corp. - 199 Main St.

James Carton, Attorney, Jerry Belvin, Sr. Mgr. Sales.

Exhibits A-1 thru A-8 were marked into evidence. Mr. Belvin testified that all area Exxon stations were updating their signs. The present sign is 18' high and 70 sq. ft., the proposed sign will be 20' high and 85 sq. ft. The column near 71 highway is 1 ft. from sidewalk, and could be moved back another foot. Overhead wires would not interfere. K. Schneider moved to close the public meeting. E. Wagner moved a favorable resolution, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. King, R. Griffiths, J. Mastrian.

Application 5-85 - Chicant Corp. - 165 Beachfront - continued

Mr. DeRosa testified that the Corp. was registered in Netherlands Antilles, with a license to operate in N. J. The survey shows encroachment on the line on the north side of property. New plan will relieve this encroachment. Ray Carpenter testified concerning his qualifications as a witness. He said structure has only bare requirements for habitation and was built about 40 years ago, and does not comply with BOCA on the following:

- no egress from bedroom windows.
- second floor ceiling 6' 4"
- exit door 6'
- sheetrock to thin
- no insulation
- windows need replacement
- floors - no sub flooring.

When building is repaired it will conform to BOCA in the following:

- replace windows
- Raise roof 2' to get ceiling height.
- rebuild deck on second floor
- reconstruct stairway
- insulate and sheetrock
- 2 hot water heaters
- rebuild second floor bath
- more closets & more open space
- will not increase occupancy/would state in resolution
- re-side
- stairwell revamped
- framing will be 16" oc.

The spiral stair outside will relieve encroachment, structure will be safer with renovations. More pleasing to the eye and better for neighbors.

Mr. Yatter feels too many people will be in rental units if expanded. He feels the primary objective of Corp. is to maximize return on investment. 165 Beachfront is not presently winterized. The other units are: 4 units winterized, 1 unit summer.

Mr. Ragan asked Mr. DeRosa when the last stockholders meeting was and how many stockholders there are. Mr. DeRosa replied August 1984 and there are 3 stockholders.

The parking will remain the same, 2 cars.

Noel Hood, 163 Beachfront asked about breakaway walls, and felt the Board should consider the whole property not just 165 Beachfront. Mr. Hood feels the units will be sold as condos. Mr. Artale, 163 Beachfront owns property that stairs encroach on. He objects to additional bedroom. Mr. Possehl, 165 First avenue, object to addition. Mrs. Ida Hood, 165 Beachfront asked members if they listened to tapes of last meeting.

E. Wagner moved to close the public meeting, seconded by J. VanSchoick.

Mr. Mastrian and Mr. Griffith need more time to think over application. Other members ready to vote. Board will continue the hearing at April meeting and reserve right to re-open public meeting. Mr. DeRosa waived time limit.

Application 6-85 - Edward Dadson - 25 First Avenue

Exhibits A-1 through A-8 were marked into evidence.

Mr. Dadson testified that he wished to raise the roof and make a second floor over the existing first floor. There would be 7 new rooms (3 bedrooms, utility, rec. room living room and bath.). His daughter and son-in-law will live there. The second *+ first floor* floor will be 2 ft. wider on the north side. Three parking spaces. Rear exit for egress. Will remain a one family unit. Board voted a site inspection will continue hearing a April meeting. Inspection Mar. 23, 9am.

Application 7-85 - Robert Doolittle - 31 Colby Ave.

Mr. Doolittle testified that he needs the property, located in an I Zone, for his business and needs to rent the apartment over it to pay mortgage. He will renovate apartment and first floor for business office. He wishes to construct new garage. There are other businesses in area with same arrangement. Apt. has 3 rooms. No objectors. Site inspection Mar. 23. Asked if resolution could be ready to read at April meeting. Mr. Ragan agreed to have favorable resolution, providing the site inspection corroborated the testimony given.

Old business :

Peter Ragan spoke to Ken Fitzsimmons, Boro Atty. concerning the Zampino property, (PAF, 125 Beachfront). Both attorney's agreed the neither the town or the Baord has much power only policing power. A person can put as many kitchens in their house as they want. The only thing you can do is to specify in the resolution as to how many kitchens or baths they can have and also if they can have an additional outside entrance to the second floor. Mr. Yatter asked what makes a two family. Mr. Ragan said it depends on the definition of family unit.

submitted by,



Margaret Kazenmayer
Secretary to the Board

MINUTES OF THE MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING - FEBRUARY 20, 1985

MEMBERS PRESENT Samual Yatter, Kenneth Schneider, James VanSchoick, Evelyn Wagner
Robert Griffith, James Mastrian

ABSENT Raymond King, Ronald Doles, Leonard Sullivan.

The meeting was called to order at 8:00 pm by James VanSchoick, Vice Chairman. Having a quorum present the slaute to the flag was recited and Mr. VanSchoick made an announcement the meeting was held in accordance with the open Public meetings Act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the January meeting were approved.

Resolution 24-84 - Wm. Bresnahan, was read by Mr. Genz moved by James Mastrian, seconded by K. Schneider. The vote fell short by one vote of required 5 votes on a use variance. Mr. Yatter suggested the resolution be held until the March meeting when the full board would be present. The Board voted to hold over.

Resolution 23-84 - W. Schneider, was read by Mr. Genz, moved by K. Schneider, seconded by J. Mastrian and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, R. Griffith, J. Mastrian.

Resolution 3-85 - R. Grunder, was read by Mr. Genz, moved by R. Griffiths, seconded by K. Schneider and carried by the following vote: yes S. Yatter, K. Schneider, J. VanSchoick, R. Griffiths, J. Mastrian.

Application 1-85 - Michael Collins - 69 Beachfront

There was no further evidence from the site inspection. The inspection verified the applicants testimony. K. Schneider moved to close the public meeting. J. Mastrian moved a favorable resolution be drawn, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, R. Griffiths & J. Mastrian.

Resolution 1-85 - Michael Collins, was read by Mr. Genz, moved by J. Mastrian, seconded by K. Schneider with the addition of the fourth paragraph " The on-site inspection of the premises corroborated the testimony given by the applicant," carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, R. Griffiths, J. Mastrian.

Application 4-85 - Exxon Corp. - Main Street

Mr. Carton, attorney for the applicant asked for and was granted a postponement of their hearing until March 20, 1985. Time limit was waived and there will no further notification of adjoining property owners required.

Application 2-85 - John E. Sudol - 405 Beachfront

Exhibits A1 thru A-6 were marked into evidence. Mr. Sudol explained to the Board that he wanted to remove a balconey over the kitchen and make a bedroom. It would not extend over existing foundation. This would make a total of four bedrooms. The chimney is existing, but he needs to extend into side yard an additional 4". The Board voted a site inspection Feb. 23rd.

Application 5-85 - Chicant Corp. - 165 Beachfront

Ray Carpenter, Engineer, Kevin B. Thomas, Attorney and William DeRosa, General Manager and Chief Executive officer were sworn in by Mr. Ragan.

Mr. DeRosa testified that the house in question was located on the northeast corner of the property and was a two family rental. He wishes to add an addition to the rear and raise the roof about 4'. Mr. DeRosa feels it will be an improvement to the property. The property is abused and needs up-dating, as it exists it is a blight. He is looking for investment return, but also improvement of the neighborhood. The number of occupants will not be increased. The addition will be on the roof only to extend it the same as the first floor, but within the existing foundation. They would not ask for additional occupants even though size is increased. Building foundation is old cedar pilings. Engineer claims they are in good condition, 5 to 6' down. The cost will be from 30,000. to 50,000. Chicant feels larger bedrooms are more attractive for rental and perhaps for re-sale. Our attorney asked Mr. Thomas for a survey with a date. Board refused to draw resolution ahead of time, will wait for site inspection. Property has a total of four buildings with 7 rental units and two parking spaces. Board asked if company willing to make one unit of five, rather than 2 units of 2 & 3. Mr. DeRosa feels two units will be taken care of better. Mr. Mastrian disagreed, he feels 2 units means double friends being invited. Mr. DeRosa will be out of the country for the next meeting. No further notice will be required and Chicant waives time limit. Mr. Genz felt it would be more prudent to hear further testimony when full board is present. Mr. VanSchoick asked if anyone in the audience would like to testify.

Mr. Noel Hood, 161 Beachfront asked Mr. DeRosa what he was going to do with 167 Beachfront?

Mr. DeRosa said they do not have specific plans yet. Mr. Hood asked if they will sell units as condo's. Mr. DeRosa replied it was a possibility.

Mrs. Ida Hood of 161 Beachfront said the people they rented to last year were awful and it made for a terrible summer. Ward Wight was manager, he told people to call police did nothing himself. No one slept on weekends. The parking was horrendous because of all the units on Chicant property. Mr. VanSchoick read a letter from Arthur Artale 163 Beachfront, objecting to the construction.

Adjourned.


Margaret Kazenmayer
Secretary

MINUTES OF SPECIAL MEETING OF MANASQUAN ZONING BOARD OF ADJUSTMENT - March 6, 1985

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, J. VanSchoick,
C. R. King, J. Mastrian.

ABSENT: E. Wagner, R. Griffiths.

Resolution 24-84 - W. Bresnahan - 179 Beachfront

Mr. Ragan reviewed the events of Feb. 20th meeting, when Mr. Bresnahan's resolution was voted on and denied, because the necessary five affirmative votes were not present. After the denial vote, Mr. Yatter suggested the Board vote to recind the denial vote and read the resolution at the next meeting, when the necessary members would be present. The Board agreed and so voted. Mr. Bresnahan asked the secretary to arrange a special meeting for the vote, so he could begin construction and finish before summer.

Mr. Ragan read resolution 24-84, it was moved by L. Sullivan, seconded by J. Mastrian and carried by the following vote: yes; L. Sullivan, R. Doles , K. Schneider, J. VanSchoick, C. R. King, J. Mastrian. NO; S. Yatter.

Old business:

Mr. King read a letter from Kenneth Fitzsimmons, boro attorney on the P.A.F. Associates 125 Beachfront. The letter informed the Baord that they could not do anything about the two kitchens installed in this one family, even though the plans presented to the Board at the time of the vaiance hearing did not include two kitchens. It was not stated in the resolution. The only thing they must do is get a plumbing permit from the building dept. Board not happy with solution, asked Mr. Ragan to speak to Mr. Fitzsimmons about case.

New business:

Board discussed follow-up on variances granted, to be sure they are constructed or used according to the resolution granted. The Board unanimously agreed to appoint two members to follow-up on each variance granted. These members will report back to the Board of Adjustment only.

Adjourned: 8:15 pm


Margaret Kazenmayer
Secretary

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, J. VanSchoick, C. R. King, R. Griffiths, J. Mastrian

ABSENT: E. Wagner.

The meeting was called to order at 8:00 pm by Peter Ragan, attorney to the Board. Mr. Ragan conducted the re-organization meeting.

Raymond King was elected chairman by unanimous vote. James VanSchoick was elected vice-chairman by unanimous vote. Resolutions A through F were moved, seconded and carried by unanimous vote. The re-organization meeting was adjourned.

The regular meeting was called to order at 8:00 pm by Mr. King. Having a quorum present the Mr. King made an announcement the meeting was held in accordance with the open Public meeting Act of 1975. Adequate notice had been given to the Asbury Park Press and Coast Star.

Minutes of the December meeting were approved.

Resolution 22-84 was read by Mr. Ragan, was moved by L. Sullivan, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick R. King, R. Griffiths, J. Mastrian. Abstain; R. Doles. Mr. Ferrante must present his deed to Mr. Ragan, the resolution prohibiting use of the front house as a two family and calling for abandonment of the lower apartment will be made part of deed and re-recorded.

Application 24-84 - Wm. Bresnahan - 179 Beachfront - cont'd

Site inspection was discussed. Mr. Yatter feels Mr. Paynton's view should not be blocked. When Mr. Paynton applied for his variance, the Board made him move his house back so it did not block Mr. Bresnahan's bedroom windows. Mr. Sullivan disagrees, he feels Mr. Bresnahan is not asking for a new house, but expansion of the old. He is asking for relief for his bedrooms, doesn't like his bedroom accessible to neighbors deck. Mr. Doles feels north view is not available anyway, only east and south view. Mr. Mastrian feels he has enough view east and south does not need north view. Mr. Bresnahan stressed the fact that he never objected to the placement of Mr. Paynton's house. Mr. Paynton, 181 Beachfront objects to the addition. He is concerned his house is in a "hole" and the size of the new addition will crowd his building. He contends that if he could have built on the 15' setback line, that the code calls for, he would not have this problem. Mr. Paynton says Mr. Bresnahan was concerned with his bedroom windows. Mr. Paynton feels that if the Board allows the addition, they are using a different standard for Mr. Bresnahan than they did for him. Mr. Ragan advised that some of the testimony was factual, but not expert. Mr. Mastrian made a motion to close the public meeting. Mr. Sullivan made a motion to draw a favorable resolution, seconded by Mr. Mastrian and carried by the following vote: yes; L. Sullivan, K. Schnieder, R. Doles, J. VanSchoick, R. Griffiths, J. Mastrian. no; S. Yatter: abstain; R. King.

Application 23-84 - Gummieny/Schneider - 133 First Avenue - cont'd

Mr. Kenneth Schneider, Board member, made a statement that he was not related to the applicant. Site inspection discussed. Mr. Sullivan feels occupancy would double with new bedrooms, and the board cannot limit occupancy. Mr. Schneider said he would be happy to limit it to six. Mr. Doles asked what changes would be made to front of building. Mr. Schneider said there will be stucco finish with 2 windows and flower boxes. The driveway would accommodate two cars. Mr. Doles objects to cement in front of house, doesn't like look of cars pulled up to windows. Mr. Schneider will reduce bedrooms to three, bedroom on south side will be eliminated. Ken Schneider made a motion to close the public meeting. Mr. Mastrian made a motion to draw a favorable resolution, seconded by Mr. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, R. King, R. Griffiths, J. Mastrian. no; R. Doles.

Application 1-85 - Michael Collins - 69 Beachfront & 66 First Avenue

Exhibits A-1 to A-8 were marked into evidence. Mr. Collins explained to the Board that he wishes to move his house onto the beach, install pilings, raise foundation 4' and put house back. He also wishes to enclose the porch and add deck on rear of beach house. He also wishes to put rear deck on First Avenue house (no roof). When finished the beach house will be 2' back from house on south side and about the same height. Mr. Collins intends to retire here. Mr. Dee, his builder testified that it must be a coordinated operation with house mover, pile driver, and builder, so the sooner the resolution is drawn the better. Mr. Collins asked for a favorable resolution to be drawn and ready for the next meeting, subject of course, to the findings of the site inspection. The board agreed. The board also informed Mr. Collins that permission of Mayor and Council would be needed to bring equipment on the beach.

Application 3-85 - Robert Grunder - 14 Pearce Court

Exhibits A-1 to A-9 were marked into evidence. Mr. Grunder explained that he is going to retire here and will need storage space. He proposes to put a dormer on the north side of his roof. His original application asked for a 5' dormer, he amended it to an 8' dormer.

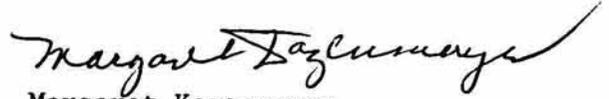
Because of the inside layout of the house the dormer must be on the north side. That is the only side the stairway will fit. No objectors were present. S. Yatter made a motion to close the public meeting. S. Yatter made a motion to draw a favorable resolution, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Doles, J. VanSchoick, C. R. King, R. Griffiths, J. Mastrian.

Old business:

The Board discussed Mr. Ragan's letter advising the language to be used in addressing the PAF property problem. The board voted approval of the letter. The secretary was asked to write same.

new business;

Board voted to raise 1985 budget, under OE \$100.00.



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, R. Doles, E. Wagner,
C. R. King, R. Griffiths, J. Mastrian.

ABSENT: J. VanSchoick

The meeting was called to order at 8:00 pm by C. R. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the October meeting were approved. An 11:00 pm time limit was set for this meeting. Minutes of the Special meeting of 10/30/85 were approved, amended to read "2 story" on Avon Corp. resolution, with J. VanSchoick acting chairman.

Application 21-85 - 147 Beachfront, 148 & 148½ First Ave. - cont'd

Site inspection discussed, members object to shed and L shape part of deck. Members feel its a fire hazard and the area is too dense. Do not feel it should be granted because it is already constructed. Sara Sheerin, 149 Beachfront does not object to deck and shed. Mr. Mastrian feels shed makes property neater. Public meeting closed. K. Schneider move a favorable resolution excluding the shed and the L shape part of the deck, seconded by J. Mastrian and carried unanimously.

Application 22-85 - Arno Schwarz - Captains Court - cont'd

Mr. Schwarz submitted a letter to the Board withdrawing his application. The Board voted to return \$50.00 of his application fee.

Application 19-85 - Martin Keefe - 191 Beachfront - cont'd

Thomas O'Brien, attorney

Mr. O'Brien stated that Mr. Dinkledge discussed special reasons for variance at last meeting. Also area of units and dimensions of units. Mr. Keefe said the construction cost would be approx. \$910,000, he could not say what the tax advantages would be at this time. He plans to sell units for \$150,000 to 175,000. In reply to a question, Mr. Kinkledge said it would be mechanically feasible to reduce the units to 10 and use the space for heat and air cond. units, but it would not be economically feasible. Mr. Dinkledge said property now physically composed for bedlam, in regard to parking, garbage pickup, density, etc. Mr. Dinkledge said after they obtain use variance they will produce site plan with all necessary requirements. Mr. Mastrian feels it is a very dramatic change to beachfront and needs considerable thought.

Roy Stein - 295 Beachfront objects to density and water pressure in summer is very bad.

Lou Kessler - 377 Beachfront - concerned with fire egress.

C. Newman - 25 First Avenue objects to changing beachfront and setting precedent

Mr. Keefe said ownership will be condo style and condo's are on the Beach already.

Mrs. Wagner stated a total of 66 people with 9 spaces for parking is the present summer occupancy.

Mr. Mastrian said a total of 84 people could be occupancy of new condo's.

Mr. O'Brien summarized: Mr. Keefe is seeking use variance in B-2 zone, with bulk and area variances, site plan for 12 units, 24 parking psaces. Specific reasons exist for granting variance:

Tax advantage

Public welfare

Flexible "C" variance (unique condition)

12 living units on property now, plus arcade and restaurant.

12 unit condo's is better use.

Transportation: rail, bus.

shopping available.

Highways available.

No deterrmint to public good.

will present a viable plan for water, sewer, elec., etc.

Questions from audience:

Lou Kessler - 377 Beachfront, keep it family without large structures.

Davis Geortner - 45 First Avenue, wants variance denied. Read letter signed by Assoc. members objecting to variance.

Noel Hood - 161 Beachfront - likes idea of condo, objects to roof line. Suggested Beach Assoc. buy land, if they object ot Mr. Keefe's plan.

C. Newman, Beachfront asked sign of parcel of land? 74' x 154'.

F. Gibson, 389 Beachfront, objects to variance, afraid a developer will come along and buy land from American Timber and put lease holders off.

Sara Sheerin, Beachfront, objects to vairance.

R. Stein echos all objections, he is concerned for children and grandchildren on leased

and setting a precedent.

C. Newman, special town, beachfront treasured, against variance.

Mr. Olsen, 223 E. Main St., water system inadequate at beach area, against variance.

E. Bresnahan, 179 Beachfront, objects to presence of arcade, for variance.

V. Birckhead, 409 E. Main, object to variance.

A. Sauer, 109 First Ave., afraid of number of people ~~in~~ condos, setting precedent .

E. Keil, 205 Third Ave., in favor of variance.

W. Bresnahan, 179 Beachfront, in favor of variance.

F. Norkus, 385 Beachfront, concerned because land leasers are victims of circumstances, could be bought off their property.

Lou Kessell, let Mr. Keefe sell his property for 925,000, the issue is precedent.

G. Gray, 578 Brielle Rd., for improvement of Beachfront.

B. Kelly, 208 Third Ave., against variance.

Noel Hood, 161 Beachfront, can attorney quiet fears of people on Condos?

D. Geortner, 45 First Avenue, not just leased land owners object, also land owners.

Ziemtz, Salmon Avenue, against variance.

The public meeting was closed. Mr. King wants to wait until December meeting for vote.

Mr. Doles agrees with Mr. King, wait until December for vote.

Mr. Mastrian feels the applicant is entitled to vote, feels enough testimony was given.

Board voted to hold vote until December meeting.

Recess for 10 minutes.

Roll call.

L. Sullivan took over chair for Avon Corp 16-85 resolution reading.

Resolution 16-85 was read by Mr. Ragan, moved by E. Wagner, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, K. Schneider, R. Doles, E. Wagner. no; S. Yatter, R. Griffiths, J. Mastrian.

New business: Letter from Curry, Stein, Bennardo was discussed by the Board. They asked the secretary to make an appointment with Mayor and Council to discuss inspection of properties after construction to make sure conditions of the variances granted have been met.

Discussion of 80 Ocean ave. - Mr. Mastrian does not consider it a 1½ story house as presented to the Board as exhibit A-6. Mr. King suggested he complain as a citizen to Building Dept.

Adjourn 11:15 pm.


Margaret Kazenmayer
Secretary

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 10/16/85

WORK SESSION : Mr. Bresnahan from 179 Beachfront asked to speak to the BOARD informally about amending variance 24-84 granted 3/6/85. The Chairman asked Mr. Bresnahan to address the Board at the end of the regular meeting.

MEMBERS PRESENT: S. Yatter, K. Schneider, R. Doles, E. Wagner, C. R. King, R. Griffiths
J. Mastrian.

ABSENT: L. Sullivan, J. VanSchoick.

The meeting was called to order at 8:00 pm by C. R. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the September were approved. An 11:00 pm time limit was set for this meeting.

RESOLUTION 16-85 - The Board will wait the arrival of R. Doles before taking a vote on this resolution as only four voting members are present. Mr. Doles is expected to arrive late. The Board voted to continue hearings on the bulk variance and major sub division at a special meeting Oct. 30, 8pm for Avon Corp.

APPLICATION 20-85 - Robert Davis - 112 Second Avenue - cont'd

Mr. King read a letter from Daniel P. Miller, Construction Official, stating the footings on the presently existing deck were not strong enough to hold the roof, but Mr. Miller would make sure they were repaired properly. Mr. King said the Board could not vote on an illegal deck, a building permit was never issued for the existing deck, he suggested Mr. Davis amend his application to include the deck. Mr. Davis agreed. The Board voted to accept the amended application. The public meeting was closed. J. Mastrian moved a favorable resolution be drawn, seconded by K. Schneider and carried unanimously.

Application 19-85 - Martin Keefe - 191 Beachfront
Thomas O'Brien, Attorney

Exhibits A-1 thru A-9 were marked into evidence. Mr. O'Brien asked to amend the application to add the following "to seek all variances necessary - 78% lot coverage instead of 80%". Mr. O'Brien said Mr. Keefe wishes to demolish existing apartments, arcade and restaurant and construct 12 two story townhouses, with 24 parking spaces under the building. The proposed townhouses are in a B-2 zone and will need a use variance for the concept of attached housing.

Mr. Keefe testified he has been in Manasquan since 1967. There are 3 existing buildings of varying height, 12 rental units an arcade and a restaurant which he has run in past years, but now leases. Mr. Keefe said the apartments have become a blight on the area and he is tired of the hassle with summer and winter tenants, mostly young singles. The apartments consists of six 3 bedroom apts., four 1 bedroom apts., 1 eff. apt. and one 2 bedroom apt. with 9 parking spaces. Mr. Keefe has the property for sale. If he can't build townhouses he will sell. Total lot size is slightly over 1/4 acre.

Mr. Dinkledge, Architect was sworn in as an expert witness. He testified he did a neighborhood study, took photos, marked A-9 and decided on 3 stories because of grade from Boardwalk to First Avenue and to include parking underground. Drainage will be explained when they apply for site plan. Other uses explored were stores, arcades, etc. but Mr. Dinkledge feels they are not a upgrading of property. They are not a higher and better use. Special reasons to grant variance are: 1. tax advantage to Boro. 2, to promote general welfare of Boro. 3, safety from fire. 4, promote visual environment for blighted area. 5, to prevent degradation of area. 6, more efficient use of land. On Broad C variance: Use is a more desirable even though not conforming, use harmonious, good for beachfront. Will not hurt intent of zoning plan. The general welfare is served by: Transportation close by, beach, shopping, major roads and highways near site. If granted no detriment to public good. No impairment to zoning. Cost of project with clearing land 1 million or \$77,000. per unit without land. Each apartment will have 1150 sq. ft. No questions from audience. Board voted a site inspection for Oct. 19 at 9am. Continue public meeting Nov. 20th.

Mr. Robert Zanes, Ocean Ave. requested to speak to Board. He feels Mr. Keefe is not making the best use of the land, that is not the highest use. He would like the Board to look at the B-2 zone as a whole and make a recommendation for the future.

Application 21-85 - Hoimark/Liquoiri - 147 Beachfront, 148 & 148½ First Avenue

Mr. Ragan marked exhibits into evidence. Mrs. Hoimark testified that they constructed 2 decks and a shed on the above property without a permit. Before any more testimony was given the board wanted a site inspection. Voted for Oct. 19, 9:30 am. Hearing continued in November.

Application 22-85 - Arno Schwarz - Captains Court

Marked exhibits A-1 through A-7 into evidence. Mr. King read a summary of a conversation with Mr. Wallauer, administrator of the Nat'l Flood Ins. Program, saying the flood program was opposed to a basement in an A-5 flood zone. Mr. Schwarz testified that a test boring hit water at 4½'. He also submitted a site plan from the Planning Board hearing. Mr. Mastrian didn't feel the site plan was complete and asked to hold testimony until plan complete and telephone call from Mr. Wallauer is confirmed. Mr. Schwarz said basement will only be 3 to 4 ft. below ground. Hearing will be continued in Nov. Mr. King asked if anyone in audience had a comment. Mr. Dunne, Long Avenue objected to the basement, does not want flood insurance jeopardized. John Dinyovszky, Deep Creek Dr., said he constructed a basement in the same flood zone and his basement is dry. Site inspection was voted for Oct. 19 10:00am.

Application 23-85 - Manasquan Elks - 17 Stockton Lake Blvd.

Wm. Burns, Attorney

Exhibits A-1 through A-9 were marked into evidence.

Mr. Ragan swore in Anthony Renna, Richard Fass and Mary Burn as witnesses.

Mr. Ragan said members of the Board that are Elk Members must hear the application out of necessity.

Mr. Ranna explained the dormer was needed for offices for the Secretary and Treasurer, The club has grown too large for the present accommodations. The Colby Avenue house they bought for this reason, did not work out. There were no negative responses from the surrounding neighbors. The dormer will be located on the Southeast corner of the buildings and will be used during business hours. Mary Burns, licensed Real Estate broker testified that the dormer will not effect traffic flow in and out, will not effect property values and will not effect zoning plan. There are two exits from the second floor. Closed public hearing. Samuel Yatter move a favorable resolution, seconded by Robert Griffith. Resolution will be read and voted on at the special meeting October 30th.

New business: Wm. Bresnahan asked the Board to accept a less encompassing plan than the one granted in resolution 24-84. Mr. Bresnahan wishes to gut the entire interior of the house. There will not be any roof line changes. The deck will be put on existing porch roof and will be smaller than original variance asked for. Motion by Mr. Yatter to accept a lesser construction than included within resolution 24-84.

Adjourned: 11pm


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Minutes of a Special Meeting of the Manasquan Board of Adjustment 10/30/85

MEMBERS PRESENT: K. Schneider, R. Doles, E. Wagner, C. R. King, R. Griffith, J. Mastrian

ABSENT: L. Sullivan, S. Yatter.

The meeting was called to order at 8:00 pm by C. R. King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement the meeting was held in accordance with the open Public Meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Resolution 20-85 was read by Mr. Doles, moved by K. Schneider, seconded by J. Mastrian and carried by the following vote: yes; K. Schneider, R. Doles, E. Wagner, C.R. King, R. Griffith, J. Mastrian.

Resolution 23-85 was read by Mr. Ragan, moved by R. Doles, seconded by R. Griffith and carried by the following vote: yes; K. Schneider, R. Doles, J. VanSchoick, E. Wagner, C. R. King, R. Griffith, J. Mastrian.

Application 16-85 - Avon Corp. - 69 & 69½ Sea Girt Avenue - cont'd
Thomas O'Brien, attorney

After discussion it was agreed that Avon Corp. will pay the following fees: \$1400 for Use Variance; \$250. for "C" variances, preliminary and final site plan \$550., and credit on use variance \$100; \$200. special meeting; total fees \$2300.

Mr. O'Brien said they need area variances for all lots except lot 6 and 13. Lot width variances for all except 1 and 13. Also rear and side yard variance for all lots.

Mr. O'Brien stated that all testimony has been given on site plan, doesn't feel it needs to be repeated. Mr. Dinkledge then testified that the project meets all criteria to grant C Variances. Flexible "C" applicable to this property: 1. upgrading blighted area, 2. making more conforming, 3. Property suited to flexible "C" variance. 4. No detriment to public good, 5. Residential use.

Mr. King - 26 Spruce Ave. wants poured concrete wall with brick face. Mr. Pandolfe is agreeable, he also suggested a row of plantings. Crest Engr. said wall will vary in height 1' to 3'. All utilities will be underground. Air conditioning units will be located in front yard or front yard corner. Engineer testified that road adequate for fire equipment. Parking will be on one side only. Cobblestone curbing will be installed, no accessory buildings will be premitted and no outside storage.

J. Mastrian voiced his disapproval of 13 units, asked Mr. Pandolfe to eliminate lot #3 for more room. Mr. Pandolfe stated he could not eliminate lot 3. Closed public meeting.

Mr. King - 26 Spruce Ave. asked that the following be in the resolution: Air Conditioners be located in front yard or front yard corner with shrubs. Retaining wall be poured concrete with brick face.

Drainage will be as approved by Boro Engr.
One side parking.

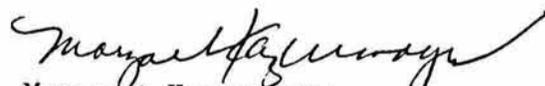
Deed restriction: no additional fencing, no accessory bldg . no outside storage.
Wall will be maintained as built.
Cobblestone curbing.

Mr. King also asked that adjoining properties, if damaged during construction, will be repaired. Sidewalk on Sea Girt Ave. will also be replaced if damaged.

Mr. Ragan, Board Attorney requested he be allowed to send a copy, in advance, of Resol. to Mr. O'Brien, attorney for Avon Corp. Board agreed.

R. Doles moved a favorable resolution be drawn, seconded by E. Wagner and carried by the following vote: yes; K. Schneider, R. Doles, J. VanSchoick E. Wagner. No; R. Griffith, J. Mastrian.

Adjourned 10 pm.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: Samual Yatter, Kenneth Schneider, Robert Griffith, C. R. King,
Patricia Walsh. ABSENT: L. Sullivan, J. VanSchoick, E. Wagner,
J. Mastrian ✓

*V. Distena
Tape*

The meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the Sept. meeting were approved.

Resolution 14-86, James Cleary, was read by Peter Ragan, moved by K. Schneider, seconded by S. Yatter and carried by the following vote: yes; S. Yatter, K. Schneider, C. R. King, P. Walsh. No: R. Griffith.

Resolution 15-86, Joseph Manara; Reading was postponed until December - not enough members present.

Resolution 16-86, Guy Badami; Reading postponed until December - not enough members present. (temporary resolution).

Application 17-86 - Four "S" Associates - Not enough members present to hear a use variance. Hearing postponed until December - time limit waived .

Application 18-86 - Richard Schroeder - 54 Pearce Avenue

Discussed site inspection. Mr. Yatter and Mr. Griffith would like to see trees left standing. Mr. Schroeder feels the turn into the garage will be too tight if garage 5' from line, also if future addition is put between garage and house. Public meeting closed. Favorable motion was moved by S. Yatter, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, R. Griffith, C. R. King, P. Walsh.

Application 19-86 - Eugene Chmielewski - 113 Wyckoff Avenue

Discussed site inspection, hardship variance - Board considered site of pool in the side yard for this application. Amended application to include 6' stockade fence. Pool will be moved 2' closer to house (12'). Close public meeting. Favorable motion was moved by K. Schneider, seconded by S. Yatter, and carried by the following vote: yes; S. Yatter, K. Schneider, C. R. King, P. Walsh. No; R. Griffith.

Application 20-86 - George Borab - 131 Union Avenue

Exhibits A-1 to A-10 were marked into evidence.

James Donnelly, Attorney from Kennedy & Daniels is representing Alfred Rola.

Mr. Borab was sworn in and testified he bought a non-conforming 2 family house and wishes to retain the apartment on the second floor and use the first floor for his landscape design office. He will occupy the office with his secretary and designer - no retail sales - no storage - no change to house or property. His office is presently at Graham Station, Sea Girt. His hours would be 9 to 5 five days a week, six days during busy times. Not many people come to office - they meet clients at site - presented parking for five cars - pictures of house and landscaping plan. Said area has many commercial offices. Mr. Donnelly, attorney, said they are asking for a use variance, landscaping office different from doctor, lawyer, etc. He asked Mr. Ragan if notice to adjoining property owners was satisfactory. Mr. Ragan, for the second time, confirmed that the notice was sufficient. Mr. Donnelly asked if trucks will be on premises or come to office. Mr. Borab said very rare, and then only a pickup size - no truck storage and when asked, he agreed to accept the provision "No trucks on Premises".

Mr. Rola, Union Avenue was sworn in: He objects to change of use, this type of business could be expanded - zoning code explicit, it is not a permitted use. Mr. Borab is not a professional person, not licensed by state. Mr. Rola feels the letter to neighbors was not complete.

Mr. Ragan was asked to research site plan requirements for this application. Site inspection was voted.

Application 21-86 - Charles Gerow - 512 Brielle Rd.

Exhibits A-1 to A-8 were marked into evidence.

Mr. Gerow wishes to remove present structure and replace with two story garage and new dock. He needs variance for 2' sideyard and two stories. If he moves garage to provide for 5' sideyard he will need new foundation. Site inspection voted. Continue Public meeting December, no further notice needed.

New business:

Will Board inspect Langella property before Dec. hearing - Board agreed to inspect.

Peter Ragan read letter to Ocean Ventures concerning appeal.

Board discussed Mayor's letter about zoning meeting.

Adjourned 10:15 pm

Margaret Kazenmayer
Margaret Kazenmayer, Sec.

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544



BOARD OF ADJUSTMENT

On Wednesday December 17, 1986 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

- Resolution 15-86 - Joseph Manara, 294 First Avenue
- Resolution 16-86 - Guy Badami, 49-51 Taylor Avenue (temporary resolution)
- Resolution 18-86 - Richard Schroeder, 54 Pearce Ave.
- Resolution 19-86 - Eugene Chmielweski, 113 Wyckoff Avenue
- Application 17-86 - Four "S" Associates, 58 Broad Street - cont'd
- Application 20-86 - George Borab, 131 Union Avenue, cont'd
- Application 21-86 - Charles Gerow, 512 Brielle Rd., cont'd
- Application 22-86 - Barbara Langella, 534 E. Main St.
- Application 23-86 - Noel Hood, Second Avenue
- Application 24-86 - Gina Pharo, 306 E. Virginia Avenue


Margaret Kazenmayer,
Secretary

Dated at Manasquan
December 10, 1986

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 10/15/86

MEMBERS PRESENT: K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

ABSENT: L. Sullivan, S. Yatter.

The Meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the September meeting were approved.

Board accepted resignation of Margaret Kazenmayer as Board Secretary.

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

BOARD OF ADJUSTMENT

On Wednesday November 12, 1986 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Manasquan Boro hall, 15 Taylor Avenue, Manasquan, NJ.

Formal action will be taken on the following:

Resolution 14-86 - James Cleary - 38 Lakewood Rd.

Resolution 15-86 - Joseph Manara - 294 First Avenue

Temporary Resolution 16-86 - Guy Badami - 49-51 Taylor Avenue

Application 17-86 - 4 "S" - 58 Broad St. - cont'd

Application 18-86 - Richard Schroeder - 54 Pearce Avenue - cont'd

Application 19-86 - E. Chmielewski - 113 Wyckoff Avenue - cont'd

Application 20-86 - George Borab - 131 Union Avenue

Application 21-86 - Charles Gerow - 512 Brielle Rd.

Discussion - Barbara Langella - site inspection before December meeting.



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
November 5, 1986

MEMBERS PRESENT: K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

ABSENT: L. Sullivan, S. Yatter.

The Meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the September meeting were approved.

Board accepted resignation of Margaret Kazenmayer as Board Secretary.

Resolution 11-86A - Langella, 534 E. Main St. was read by Mr. Ragan, moved by J. VanSchoick, seconded by J. Mastrian and carried by the following vote: yes; R. Griffith, J. VanSchoick, E. Wagner, J. Mastrian. No; K. Schneider, C. R. King. Abstain; P. Walsh.

Application 14-86 - James Cleary - 38 Lakewood Rd. - cont'd

Comments were asked on site inspection. Mr. Cleary amended application to include deck. Mrs. Wagner commented that only one other house in the area would be this high. Mr. Mastrian thinks there is plenty of room for addition. No objectors present. Closed public hearing. Favorable resolution was moved by K. Schneider, seconded by J. VanSchoick and carried by the following vote: yes; K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

Application 15-86 - Joseph Manara - 294 First avenue - cont'd

Exhibit A-10 survey of property marked into evidence. Closed public hearing. Board recommended fine of \$250. for construction without a permit. Favorable resolution moved by J. Mastrian, seconded by E. Wagner and carried by the following vote: yes; K. Schneider R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

Application 16-86 - Guy Badami - 49-51 Taylor Avenue - cont'd

Site inspection comments: Mr. Schneider feels there is enough parking for tenant on one side and office on other side. Mr. Griffith says no hardship, could use for 2 apts. of 2 offices. Mr. Mastrian doesn't feel zoning advanced by mixed use. Mr. Ragan was asked for comments: he wants Board to decide if they think mixed use is better than all office, or better than all residential. Special reason could be better for area. At present Mr. Badami has two family non-conforming use. He bought building to use one side as his office.

D. Thomas, Parker Avenue feels Mr. Badami should have researched property before buying. On either side and across the street are residential dwellings.

M. McCabe, Euclid Ave. cited Lewis, Segal & Wood on Rt. 71 as having expanded with much activity.

Mr. VanSchoick feels Route 71 is dangerous for residential use.

R. Thomas, Parker Ave., questioned Board granting business use for Barber Shop on Taylor Ave. It is responsibility of Board to maintain integrity of zoning in area.

Mr. Badami noticed that if he has two offices it will be empty all night, instead of a tenant to keep watch. He stated there are Lawyers, Echo Realty and Police Station on the same side of the street. It is the main street going thru town and should be commercial. He didn't anticipate controversy. Asked for limited use until tenants lease runs out

Closed public meeting.
Mr. Mastrian said Board must be careful giving use variances. Doesn't feel there are strong special reasons. Moved a motion to deny variance.

Mrs. Wagner asked for discussion of limited use until lease runs out, before vote on denial.

Mr. Ragan said it was possible to draw a resolution for ~~mixed~~ conditional use until June, then in June convert to Commercial use. Mr. Mastrian asked that his motion to deny be voted on first, seconded by R. Griffith and defeated by the following vote; yes; R. Griffith, J. Mastrian.

No; K. Schneider, J. VanSchoick, E. Wagner, C. R. King, P. Walsh. A motion was moved by E. Wagner to have our attorney draw up a temporary resolution for a conditional use until June when tenants lease runs out, seconded by K. Schneider and carried by the following vote: yes; K. Schneider, J. VanSchoick, E. Wagner, C. R. King, P. Walsh. NO; J. Mastrian, R. Griffith.

Application 17-86 - 4 "S" - 58 Broad St. - cont'd next meeting (November 12th)

Application 18-86 - Richard Schroeder - 54 Pearce Avenue

Exhibits A-1 to A-8 marked into evidence. Mr. Schroeder sworn in, he testified that he wishes to construct garage. He needs a variance to go 3' from property line. Unless he can do that, it will make turning very difficult because a tree is in the way. Board voted a site inspection. No objectors present.

Application 19-86 - E. Chmielewski - 113 Wyckoff Ave.

Exhibits A-1 to A-8 marked into evidence. Mr. Chmielewski wants to construct an inground swimming pool in his front yard. Mr. Chmielewski has a corner lot and there isn't any other place to put pool because of setback requirements. He will fence in pool with solid 6' fence. Site insp. voted. (secretary's note: variance is required for 6' fence when less than 25' from street line: street line considered property line).

New business:

Motion was made to have our attorney, Peter Ragan, file answer to complaint & protect the Board's interest in the case of Ocean Ventures.

Board voted to pay for Langella special meeting of Oct. 1, 1986.

Work session:

Board asked Secretary to write letter to Mr. Ratz, C.O. reiterating the Board's interpretation of setbacks in relation to decks. The Board feels decks should not violate the setbacks, regardless of height, including ground level decks.

Board discussed charges to Mrs. Langella for new application to the Board for sub-div. and variance. Board said total charges would be \$200. for sub-div. and \$150. for use variance, for 534 E. Main St.

Secretary informed Board of call from Mr. Farrell, Engr., concerning Drawbridge Parking Lot. Mr. Farrell said plans submitted to Board had old asphalt taken up and new surface put down. When Mr. Farrell inspected, they have used the old surface and added new areas. Board members will site insp.

Adjourn: 10:00 pm.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

BOROUGH HALL, 15 TAYLOR AVENUE
POST OFFICE BOX 199

Incorporated December 30, 1887

(201) 223-0544

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N. J.

Please note that on Wednesday October 15, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Manasquan Boro Hall, 15 Taylor Avenue Manasquan, N. J.

Formal action will be taken on the following:

Resolution 11-86A - Barbara Langella - 534 E. Main St. (bulk variances)

Application 14-86 - James Cleary - 38 Lakewood Rd. - cont'd

Application 15-86 - Joseph Manara - 294 First Ave. - cont'd

Application 16-86 - Guy Badami - 49-51 Taylor Avenue - cont'd

Application 17-86 - Four "S" Associates - 58 Broad St. - cont'd

Application 18-86 - Richard Schroeder - 54 Pearce Ave.

Application 19-86 - Eugene Chmielewski - 113 Wyckoff Ave.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
October 14, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian, P. Walsh.

The meeting was called to order at 8:00 pm by the chairman Mr. King. Having a ~~quorum~~ quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the August meeting were approved.

Board voted time limit of 11:00 pm on the meeting.

Resolution 12-86 - Jack Dorfman, was read by Peter Ragan, moved by L. Sullivan, seconded by J. VanSchoick and approved by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King.

Resolution 13-86 - John Dowling, was read by Peter Ragan, moved by S. Yatter, seconded by E. Wagner and approved by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King.

Resolution 11-86 - Barbara Langella, was read by Peter Ragan and discussion followed on changes to the first redraft of the resolution. The following changes were made in the resolution: Page 1, Para. 1, "two 3-unit buildings to be sold as condominium units." Page 1, item 2, "30 to 35 years. Page 2 items 3. Add "Third Aye." (2 places) Page 2 items 4, "Board for the purposes of this application". Page 3, item 9, "with exceptions" Page 3, items 12 "As a conditional use", Page 3, items 13, "seasonal". Page 4 item 1, delete and provide considerable ratables for the Borough of Manasquan" Page 4 item 2, delete "seasonal" Page 4 item 3 change to "would eliminate a hazardous" Page 5, para. 2 "construction of two, 3 unit buildings to be sold as condominium units." Page 5, items 2 "approval of the Board of Adjustment."

The above changes were made after lengthy discussion among the Board members. The vote was as follows on the favorable resolution 11-86: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King. No; E. Wagner, R. Griffith.

Barbara Langella and her attorney Mr. Carton agreed to a special to be held October 1, 1986 to hear for the bulk variances.

Mr. Burns, attorney for Boyd Davis asked when the appeal time will begin. Mr. Ragan said from the date of publication by the Applicant.

A short recess was voted - roll called.

Application 14-86 - James Cleary - 38 Lakewood Rd. - cont'd

Exhibits A-1 to A-8 were marked into evidence. Mr. Cleary was sworn in and testified that he wished to add a second floor over the existing first floor and enlarge his kitchen. House not large enough for their planned family. The house will have 4 bedrooms and family room. Footprint of building will remain the same. Corner property. Part of addition will be over garage that has only 3' side yard. Board voted a site inspection Sept. 27th. Continued at October meeting. *13' X 30' new addition.*

Application 15-86 - Joseph Manara - 294 First Avenue - cont'd

Exhibits A-1 to A-10 were marked into evidence. Mr. Manara was sworn in and testified that he built deck on rear of house without a permit, he didn't know one was required. Construction Official issued fine. Survey submitted from American Timber does not show First Avenue house. Board asked for professional survey. Site inspection was voted for Sept. 27th.

Application 16-86 - Guy Badami - 49-51 Taylor Avenue

Exhibits A-1 to A-6 were marked into evidence. Mr. Badami was sworn in and testified he wished to convert his two family house into one apartment and one commercial office. He will use office for his law practice. The house is a duplex with parking in rear for 3 or 4 now, could be paved for more. Site inspection was voted for Sept. 27th. Mr. Richard Thomas, 56 Parker Avenue objects to change. He claims change would hurt the residential area to the rear of property and paved yard would park 10 cars. He feels mixed use would change character of neighborhood.

Mr. Badami says area is a C zone and office commercial is a permitted use. Some houses in area are run down. He claimed he would close his office a 5 or 6 pm, lighting would be subdued. Site inspection voted for Sept. 27th.

Application 17-86 - Four "S" Associates - 58 Board St.

Exhibits A-1 to A-7 were marked into evidence. Donald L. Sherman, Jr. was sworn in and testified that Sherman & Sons wanted use the first floor apartment for a showroom and keep the second floor apartment for tenants. The Mill business is in an I zone, 58 Broad is in a C zone. The first floor would be used strictly for displays. Site inspection was voted for Sept. 27th. Meeting adjourned 10:40 pm.

Margaret Kazenmayer
Margaret Kazenmayer, Sec'y

MINUTES

SPECIAL MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT -- October 1, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner,
C. R. King, J. Mastrian,

ABSENT: R. Griffith, P. Walsh.

The Meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975. Adequate notice was given to the Coast Star.

Board voted time limit of 11:00 pm on the meeting.

Application 11-86A - Barbara Langella - 534 E. Main St.

Mr. Carton, attorney for the Langella's asked the Board if the bulk variances were to be required under the B-2 zone or residential zone requirements. Mr. Burns, attorney for Boyd Davis said he thought the applicant should decide what he needs and then let the Board decide.

Mrs. Wagner said applicant asked for a residential multi-dwelling use and should abide by those requirements for a residential zone.

Mary Birckhead asked how many variances would be needed under the R-3 zone? Mr. Ragan replied that 12 conditions were required and the applicant violated 9 of these.

Variances needed:

Area - width of plot - frontage - building area - building height - bedrooms - width of yard - side yard - storage.

Davis Geortner, First Ave. - asked the Board if they had given consideration to precedent factor and if they considered the hundreds of signatures on petitions?

Robert Zanes - Ocean Avenue - Asked if Board knew the Mayor had called for review of B-2 zone?

Mary Birckhead, E. Main St. said she had real problems with 9 out of 12 variances needed.

Mr. Burns, attorney feels Board ignored negative criteria in granting use. The application violates use and bulk requirements. He felt the application should not have been separated use from bulk. It should have been treated as one entity. All factors of application should have been considered together. To ask for 9 out of 12 variances violates the integrity of the Zoning Code. Rateables not basis for granting variance.

Mr. Carton, speaking for the Langella's said they are not changing character of neighborhood. No traffic will be allowed in or out on E. Main. Fewer bedrooms than single family homes and less density.

Public meeting closed.

Mr. Wagner feels they need too many variances. Mr. Sullivan feels .41 acres not enough land, when 2 acres required.

Mr. Mastrian asked to subdivide into 5 lots, according to plan shown at first meeting.

Mr. King admires building aesthetically and feels it will control group rentals better.

Mr. Yatter asked if owner could come up with another plan? Mr. Ragan said Board must vote on plan as presented.

Mr. Mastrian moved a motion to deny bulk variances, seconded by Mrs. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, J. VanSchoick, E. Wagner, J. Mastrian. No; K. Schneider, C. R. King.

Motion was made by Mr. King to cancel charge for special meeting - Boro will pay fees. No vote.


Margaret Kazenmayer
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, September 17, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Manasquan Elementary School, Broad St., Manasquan N. J.

Formal action will be taken on the following:

Resolution 11-86 - Barbara Langella - 534 E. Main St. (use variance only)

Resolution 12-86 - Jack Dorfman - 460 Brielle Rd.

Resolution 13-86 - John Dowling - 45 Beachfront

Application 11-86 - Barbara Langella, 534 E. Main St. (bulk variances)

Application 14-86 - James Cleary - 38 Lakewood Rd. - cont'd.

Application 15-86 - Joseph Manara - 294 First Avenue - cont'd

Application 16-86 - Guy Badami - 49-51 Taylor Avenue

Application 17-86 - Four "S" Associates - 58 Broad St.



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
September 11, 1986

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 8/20/86

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner,
C. R. King, R. Griffiths, J. Mastrian, P. Walsh

The meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the July meeting were approved. - minutes of the 7/28/86 special meeting were approved.

Board voted a time limit of 11:00 pm on the meeting.

Application 12-86 - Jack Dorfman - 460 Brielle Rd. - cont'd

Report on site inspection - Mr. Yatter commented that most houses have rear decks. Public meeting was closed. Mr. Yatter moved a favorable resolution be drawn, seconded by Mr. Schneider and carried by the following vote: unanimous.

Application 13-86 - John Dowling - 45 Beachfront - cont'd

Site inspection discussed - Document A-8 was given to Board members at the site inspection - height will be 23'.

Davis Geortner, 45 First Ave. spoke in favor of the application.

Public meeting closed. L. Sullivan moved a favorable resolution be drawn, seconded by E. Wagner and carried by the following vote: unanimous.

Application 14-86 - James Cleary - 38 Lakewood Rd.

Mr. King opened application and postponed until Sept. or later in Aug. meeting if time permitted. No further notice will be necessary.

Application 15-86 - Joseph Manara - 294 First Avenue

Mr. King opened application and postponed until Sept. or later in Aug. meeting if time permitted. No further notice will be necessary.

Application 11-86 - Barbara Langella - 534 E. Main St. - cont'd

Ownership of Pickel Alley discussed - Mr. Carton believes people who live on Pickel have a right to use it - in use for 20 years - law says publice must be able to use. Boro has used street, must be available for public use. Mr. Ragan said Board must find if factual circumstances true.

Mr. Rossi, attorney for Marra, Meola & Marra want Boro to accept responsibility for street. Street treated as public street. Deeds are unclear as to ownership. Town uncertain as to sewer responsibility. His clients wish Boro to declare full responsibility for street. His clients are in favor of Langella application, feel it is better than some other applications that would not be attractive. His clients will be sworn in if Board wishes. Mr. Ragan swore in Michael Marra - Mr. Marra testified he lived on Pickel Alley 35 years and the street was never cut off from public use. Mr. Marra wants Boro to accept responsibility for street in all respects, including sewer repair, which they do not do now.

Mr. Sniezk, Pickel Alley asked Mr. Marra how many times he called Boro Hall for help on the sewers and never received it? Mr. Marra said 3.

Rose Meola, Pickel Alley, asked if anyone ever told him Pickel Alley was private? Mr. Marra replied no.

Mr. King recommended that Mr. Marra go to Council about sewers on Pickel Alley.

Mrs. Sniezk, Pickel Alley said Borough should make a statement on Pickel Alley.

D. Geortner, First Ave. asked Board to give consideration to precedent factor in this case. If variance given, future variances could not be denied.

A. Hemphill, Fletcher Ave., spoke of master plan and zoning restrictions having a purpose - not looking for development on every inch. The people of Manasquan like the rural atmosphere.

A. Sauer, 109 First Ave., concerned if Board is fulfilling its function. Applicant did not show sufficient reason. Money should not be a factor. Application beyond Boards function to grant.

H. Peterson, Euclid Ave., Condos are not in keeping with town.

P. Tischio, Farragut Ave. - Appeals to Langella's to re-think application, don't change basic structure of town.

Mr. Mastrian asked to speak. He said motion lacks public sensitivity and pleaded with Board members to vote NO.

As chairman of the Zoning Board, Mr. King made a motion to draw a favorable resolution on application 11-86, saying it can be granted without substantial detriment to the

Mr. McCue, Beachfront asked Board not to change small town environment, objects to condos.

Carol Flomerfelt, Cedar Ave., wants beach area to remain the same in character, objects to condos.

Mr. Randolph, Salmon Ave. - Feels Board setting precedent for future condos.

Mr. Bresnahan, Beachfront in favor of condos.

M. Birckhead, E. Main St. - not in favor of condos.

W. Rath, Beachfront - Doesn't want higher use or density of condos.

B. Coder, Parker Ave., asked why Board did not have Super. of Public Works to testify on Pickel Alley.

A. Slater, Beachfront, Told Board he did not hear a valid reason for permitting condos in a non-conforming area.

J. Sniezk, Pickel Alley, Wishes Board to deny application, no testimony on public road, Pickel Alley is a service Rd. according to Freehold records.

C. Wells, Second Ave. - objects to condos.

G. Van Note, attorney for Boyd Davis, refers to N. J. 40:55D-2 and 40:55D-70D. Cannot grant variance if not for Public good, burden of proof on applicant and applicant failed to meet burden. 14 purposes must benefit community as a whole, promote general welfare. No legal grounds for this variance.

Mr. Carton, attorney for Langella's - Pickel Alley is considered a public street by reason of use by the public. The Courts make towns take care of publicly used streets. Presently the property has a restaurant on it, built low, not a paying business. His client is not interested in building single family homes. Six condo units not dense for area. Rented houses would generate more people, more kids in school. Deed restrictions would limit leases to one year, the drainage would be improved. Presently parking for 25 cars, plus restaurant parking that exit into Pickel Alley. The condos would have 12 off street parking spaces. Height of project would be 33' MSL.

Mr. Mastrian stated that the Boro issued a permit for parking for 25 cars. Coast Buick cars were a private arrangement. Mr. Mastrian asked if you need a multi family dwelling for deed restriction or can you have a deed restriction on five homes? Mr. Carton was not sure.

Mr. VanNote asked that Mr. Farrell's letter of July 9, July 16, and Aug. 7, 1986 be marked into evidence.

Board voted to close the public meeting by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. King, P. Walsh. No; J. Mastrian.

Recess was voted for 10 minutes. - Roll was taken and meeting resumed.

Mr. Ragan gave summary of Board procedures.

Mr. Sullivan moved motion to call Pickel Alley a public street, based on testimony given tonite by residents. Mr. Mastrian disagreed because of conflict with sewers and size of street (20'). Motion was voted on as follows: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffith. No; E. Wagner.

L. Sullivan made a motion to DISCUSS voting on the USE variance ONLY. Voted on as follows: yes; L. Sullivan, S. Yatter, K. Schnieder, R. Griffith, J. VanSchoick, C. R. King. NO; E. Wagner.

Mr. Mastrian asked Board to listen to Public sentiment and vote against the use variance.

Mrs. Wagner stated she studied Board guide books as this application is very important. She doesn't feel the applicant presented special reasons why variance should be granted. Because special reasons do not exist, she is against granting variance.

Mr. Yatter asked Mrs. Wagner what the special reasons are, she replied "there aren't any" Mr. Yatter said he did not like the alternatives, Mrs. Wagner replied that this was not a consideration, Mr. Langella knew before coming to the Board what the alternatives were, and he chose to ask for condos. If he wished to construct a motel, which is permitted in a B-2 zone, he would have.

Mr. Mastrian asked to speak. He said motion lacks public sensitivity and pleaded with Board members to vote NO.

As chairman of the Zoning Board, Mr. King made a motion to draw a favorable resolution on application 11-86, saying it can be granted without substantial detriment to the public good and all negative criteria was satisfied. Also taxes will be increased, we will have control of rentals and it will not create more flooding. He also feels that architecturally it is outstanding, the motion was seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, C. R. King, R. Griffith, No; E. Wagner.

Discussion of bulk variances postponed until September meeting, when use variances will be read.

Mr. Ragan asked Mr. Carton, attorney for Mr. Langella to present proposed findings of fact and conclusions of law for resolution.

Applications 14-86 and 15-86 will be held at Sept. 17, 1986 meeting.



Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian.

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975 Adequate notice was given to the Asbury Park Press and the Coast Star.

BOROUGH HALL, 15 TAYLOR AVENUE

Incorporated December 30, 1887

(201) 223-1480
If No Answer
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BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Monday, July 28, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold a special meeting at 8:00 pm in Manasquan Elementary School, Broad Street, Manasquan, N. J.

Formal action will be taken on the following:

Application 11-86 - Barbara Langella - 534 E. Main Street - Cont'd


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
July 18, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian.

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975 Adequate notice was given to the Asbury Park Press and the Coast Star.

Mr. Ragan swore in two members of the Board, Robert Griffiths, regular member and Patricia Walsh, 2nd alternate.

Time limit of 11:00 pm was voted by the Board.

Application 11-86 - Barbara Langella - 534 E. Main St. - cont'd

No comments on site inspection.

Mr. Wm. Burns introduced himself as attorney for Boyd Davis, Beachfront Richard Nusser, engineer for the Borough reviewed Mr. Farrell's letter to Mr. Sebring, 7/16/86, item by item. The items still needing to be addressed were additional storage, change plantings to salt tolerant and Japanese Black Pines and Rhododendrons do not correspond to the graphics. Mr. Sebring submitted a revised plan to the Board to answer Mr. Farrell's letter of July 16th. Marked A-10 consists of 3 sheets dated 7/14/86, 7/15/86 and 7/25/86. Mr. Sebring said landscape plan was done with Mr. Bocher on new site plan. The garage will be extended to full length of house for more storage. Mr. Burns asked if lot coverage was more because of garage extension. Mr. Sebring explained it was not affected, because crawl space, which was under original first floor plan, was used. Mr. Sebring also explained the use of a dumpster is not recommended because shelter has odor and becomes dilapidated.

Mr. Mastrian concerned with drainage, rear of building only 5' from property line ^{new} and on a steep angle. Mr. Sebring said grade is 7' at max. and railroad ties will be added and drainage will be directed to swale. The planting berm will be at 8' Elevation of lowest floor member will be 11' according to FEMA regulations.

Mr. King asked for questions from the audience:

June Sniezek, 7 Pickel Way said she doesn't believe railroad ties will block water from Pickel Alley. She also stated that Pickel Alley was a service driveway and not a Boro street.

Mr. Zanes, Ocean Avenue asked how would you stop owners of Condos from further blacktopping and making drainage problems worse. Mr. Sebring said it could be a condition of the Master Deed.

Mrs. Hemphill, Fletcher Avenue, said you can't solve a drainage problem that is caused by high tide.

Mr. Gibson, Beachfront asked for garage elevation. Mr. Sebring said not governed by FEMA and was 6.5 ft.

Mrs. Sniezek, Pickell Alley, said Freehold tax map shows Pickel Alley as a service driveway.

Mr. Burns, atty. for Mr. Davis said that of 11 standards of ordinance, nine were not complied with. Letter of July 16, 1986 from Mr. Sebring did not change that, there were still 9 items ~~not~~ complying.

Mr. King read letter from traffic officer, he suggested changing the radius of curb at Main and Third to make traffic flow around corner easier. Mr. Carton responded that his client does not own corner.

Mr. Mastrian wants fire inspector to come to meeting next month, also professional Planner. He asked the Board to vote on matter.

Mr. Yatter said he has been a firefighter for 40 years and couldn't see any problem getting fire fighting equipment to fight the fire from Main St.

Mr. King, chairman did not think it was necessary to have planner. Mr. Mastrian insisted it was an important project and we needed advise of planner. Mr. Zanes, Second Avenue said Land use law requires planner. Mr. McCabe of Euclid Ave. said 7 variances are needed and feels we need professional advise. Mr. Nicol, Beachfront said the project will change the complexion of Manasquan. Motion to call in planner defeated. Fire Inspector will be asked for his comments. Mr. Gibson, Beachfront asked if Pickel Alley is a private drive, what does it do to the application? Mr. Ragan said it changes the application completely.

Mr. Carton said Mr. Langella presently has a parking permit to park 25 cars and they exit on Pickel Alley. Pickel Alley has been used for many years by Public. Town plows it, sends police, uses for garbage trucks. Even if not accepted by Boro, Mr. Carton contends it is a public road that is constantly used by the public.

Mr. McCabe, Euclid Ave. asked if public has a right to use Pickel Alley if its found to be a private drive? Mr. Carton said even if Boro hasn't dedicated street, the Boro has treated this as a Boro St.

Mr. Tallon, Beachfront, spoke in favor of application.

Mr. Simmons, Church St. spoke in favor of application.

Mr. Geortner, First Ave. Asked Mr. Langella to consider 5 cottages on property. He stated he has never known such unanimity in opposition to a project and the Board must heed the people of Manasquan.

Mrs. Matthews, Second Ave. stated houses were more appropriate than Condos and presented a petition of Second Avenue residents opposing the application.

Mr. Zanes, Ocean Ave. is concerned with effect on B-2 zone. He feels B-2 zone should be re-zoned.

Mr. Grunder, Pearce Ct. thinks we need an ordinance to limit duration of rentals.

Mr. Ragan, Board Attorney asked Mr. Carton to research Pickel Alley ownership and report to Board at August 20, 1986 meeting.

Adjourned: 9:45


Margaret Kazenmayer
Secretary

BOROUGH HALL, 15 TAYLOR AVENUE

Incorporated December 30, 1887

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BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, August 20, 1986 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Manasquan Elementary School, Broad St., Manasquan N. J.

Formal action will be taken on the following:

- 5 Application 11-86 - Barbara Langella - 534 E. Main St. - cont'd
- , Application 12-86 - Jack Dorfman - 460 Brielle Rd. - cont'd
- 2 Application 13-86 - John Dowling - 45 Beachfront - cont'd
- 3 Application 14-86 - James Cleary - 38 Lakewood Rd.
- 4 Application 15-86 - Joseph Manara - 294 First Avenue

Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
August 13, 1986

MINUTES OF THE REGULAR MEETING MANASQUAN ZONING BOARD OF ADJUSTMENT July 16, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian.

ABSENT: R. Doles

The meeting was called to order at 8:00 pm by the chairman Mr. King. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the June meeting were approved.

Resolution 5-86, Ocean Ventures, was read by Mr. Genz moved by Mr. Mastrian, seconded by Mr. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, J. Mastrian. NO; C. R. King. Abstain; R. Griffiths.

Board voted a time limit of 11:00 pm on the meeting.

Board accepted the resignation of Ronald Doles.

Members of the audience asked that the meeting be postponed and continued at a larger meeting hall, perhaps the Elementary school, so all interested citizens could hear the application. Mr. Genz, attorney for the Board ruled the Board could proceed with the meeting, if they wished to. Mr. King declined ^{POSTPONING} on advice from attorney and called for recess. for 10 minutes - roll called.

Mr. Mastrian made a motion to postpone the meeting so larger quarters could be obtained, he stated the occupancy of the Council chambers was 70 and the room was overcrowded. E. Wagner seconded and the motion was tied by the following vote: yes; E. Wagner, C. R. King, R. Griffiths, J. Mastrian. NO; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick.

E. Wagner moved a motion to continue the meeting as scheduled for the purpose of introducing the two other cases on the agenda and postponing them until August, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick E. Wagner, C. R. King. NO; R. Griffiths, J. Mastrian.

Application 12-86 - Jack Dorfman - 460 Brielle Rd.

Application introduced and postponed until August. No further noticing necessary.

Application 13-86 - John Dowling - 45 Beachfront

Application introduced and postponed until August. No Further noticing necessary.

Application 11-86 - Barbara Langella - 534 E. Main St. - cont'd

Site inspection held June 21st. - Meeting interrupted by objectors wanting postponment of application.

Recess called for 10 minutes. - roll called.

Mr. King suggested postponing Langella case, in accordance with Lt. Osborn's advice. Mr. Carton, attorney for Langella's asked for a specific time and place for the special meeting. He also waived the time limit. The Board agreed the special meeting would be at the Manasquan Elementary School on July 28, 1986, at 8:00 pm. Mark McCabe objected to having meeting the same night as Council work session. Mr. Genz said Board free to set a convenient date for members. Motion was made and seconded to postpone meeting to July 28, 8:00 pm at Manasquan Elementary School, and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths. NO: J. Mastrian.

Application 12-86 - Jack Dorfman - 460 Brielle Rd.

Mr. Dorfman wishes to build a deck on 8' of his remaining rear yard. This would be built to the edge of the bulkhead. He feels this 8' of yard is wasted. Board voted a site inspection July 19th.

Application 13-86 - John Dowling - 45 Beachfront

John Gassner, builder
Kevin Thomas, attorney

Mr. Dowling wishes to build an addition over the existing first floor of his home. Presently he has 3 small bedrooms, he will add 2 bedrooms to second floor and remove 1 bedroom on 1st floor. Same footprint. Never rented out. Needs additional space for retirement. Parking for 5 cars, 2 in garage and three on street. Mr. Dowling has had borings done and has engineer recommendations. Mr. Gassner testified he will renovate and build according to BOCA and will bring house to code. He will build 2, 8' decks on front and rear. Girders will be re-inforced, as recommended by engineer. House is winterized. Mr. Rupprecht, Beachfront asked if renovation is more than 50% - NO. Mr. Geortner, 45 First Ave. spoke in favor of application. A site inspection was voted for July 19th.

Mark McCabe, Euclid Avenue - Asked Mr. Genz if meeting same night as Council is legal (refering to Langella case) Attorney said Board action is appropriate. can only be appealed to Superior Court.

Mr. King reminded the audience that the Board members are volunteers and they resented the fact that they were not given the opportunity to do their job.

Mr. Gibson, Beachfront told Board members the audience was interested in whats good for Manasquan.

Boyd Davis, First Avenue commented that he was upset with Board treatment of the audience.

Mr. McCabe, Euclid Ave. asked attorney if it is legal to have to advertised meetings on the same night. Mr. Genz said yes.

Mrs. Hemphill, Fletcher Ave. asked that the "No smoking" signs be obeyed.

New business:

Mr. Mastrian asked attorney if going to a site inspection in a group, constituted a violation of the Sunshine Law. Mr. Genz replied that it is permissible.

The secretary read a letter from Wm. Wight withdrawing his application 10-86, The Board voted a return of \$600. from his original application fee of \$800.

The Secretary read a letter from the Drawbridge restaurant asking to use parking lot until Sept. At that time they will make improvements to the lots as stated in the resolution 18-85. Board agreed.


Margaret Kazenmayer
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, May 21, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Resolution 4-86 - Thomas McNee - 573½ Perch Avenue

Resolution 6-86 - Anthony Sa - 328 First Avenue - memorialized

Resolution 8-86 - Norman Milligan - 355 Beachfront

Application 7-86 Paul Saker - 157½ South St. - cont'd

Application 9-86 - Steven Pringle - 255 First Ave. - cont'd

Application 5-86 - Ocean Ventures - 410 Brielle Rd. - cont'd

Application 11-86 - Barbara Langella - 534 E. Main St.


Margaret Kazenmayer
Secretary

dated at Manasquan,
May 16, 1986

MINUTES OF REGULAR MEETING OF MANASQUAN BOARD OF ADJUSTMENT - April 16, 1986

MEMBERS PRESENT: S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths
J. Mastrian.

ABSENT: L. Sullivan, R. Doles, E. Wagner.

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park press and the Coast Star.

NOTE: All future resolutions shall have the following paragraph: The applicant shall grant reasonable access, during normal business hours of the Borough of Manasquan to a person or persons to be designated by the Board, for the purpose of inspection of the development on the subject site.

The minutes of the March meeting were approved.

Resolution 3-86 - Peters/Condon was read by Peter Ragan, moved by S. Yatter, seconded by J. Mastrian and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths, J. Mastrian.

James VanSchoick took over as chairman for the McNee application hearing. Mr. King was noticed.

Application 4-86 - Thomas McNee, 573½ Perch Avenue - cont'd
Thomas O'Brien, attorney

Mr. O'Brien asked for rear yard variance for garage and side yard variance for dormers. The dormers will be 19" over side yard, old eaves were 30" over side yard.

Mr. McNee needs variance to enlarge second floor for 2 bedrooms and 2 dressing rooms and bathroom. Mr. Miller Construction Official gave permission for second floor addition, but sent applicant to Bd of Adj. for dormers (A-9 copy of building permit). He needs garage for storage of car and will put utilities there. Mr. McNee showed pictures of area showing other garages in neighborhood. (A-10 zoning map, A-11 pictures.)

Mr. Mastrian asked if garage could be reduced to 12' rather than 16'. Mr. McNee said it would be too small for his purpose. Mr. O'Brien noted that Mr. Miller C.O. had noted on plans "Apply for variance for garage and dormers, if dormers not approved, must be removed."

Mr. Campagna, 460 Charles Pl. Freehold, builder, said he needed to put proper studs in for dormers while doing second floor and to hide vent from existing kitchen. He said to do it after variance was granted would have been very hard and expensive.

Public meeting closed. Mr. Mastrian not comfortable with garage size, likes dormers but objects to voting on something already built. Mr. Yatter in favor of application. Mr. VanSchoick also objects to manner of building before variance applied for. Mr. McNee did not apply for variance until January 1986, the building permit was dated Nov. 1985. Mr. Yatter moved a favorable resolution be drawn, seconded by Mr. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, R. Griffiths, J. Mastrian.

Mr. King resumed chairmanship of meeting.

Application 6-86 - Anthony Sa - 328 First Avenue - cont'd

Site inspection was favorable to all members. No objectors present. Closed public meeting. J. VanSchoick moved a favorable resolution, seconded by K. Schneider. Mr. Sa asked if resolution could be memorialized so construction could begin at once. The Board agreed by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths, J. Mastrian.

Application 7-86 - Paul Saker - 157½ South St.

Mr. Saker bought property in Sept. 1985. 2½ story house with garage apartment in the rear. Apt. very small needed to include porch into living space (6' x 16'). Apartment has one bedroom. Site inspection voted for April 19th. exhibits A-1 to A-9

Mr. Moyle, 137 South St. objects to variance, he is afraid of seasonal rentals, and not in character with neighborhood.

Application 9-86 - Steven Pringle - 255 First Ave. Exhibits A-1 to A-9

Mr. Pringle wants to use front porch to enlarge ^{living room + bedroom} kitchen. The house has 2 bedrooms, but living area is very small. He needs six weeks to have work finished for summer rental season. Site inspection Apr. 19th. Board instructed attorney to have resolution memorialized for May meeting.

Application 8-86 - Norman Milligan - 355 Beachfront

Exhibits marked A-1 to A-10

Mr. Milligan wishes to remove cement patio on front of house and replace with wooden structure, same size. The patio is on Boro property and Mr. Milligan received permission from Mayor and Council to replace, no expansion. (letter in file). Public meeting closed. S. Yatter moved a favorable resolution be drawn, seconded by J. VanSchoick and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths. J. Mastrian was excused, he was noticed. (correction: width of patio will be 7" less.)

Application 5-86 - Ocean Ventures - 410 Brielle Rd.

Attorney J. J. DeVincens

Exhibits marked A-1 to A-9

Mr. DeVincens is asking for a site plan approval and use variance to convert the 8 room motel into a 4 unit condo with 19 slip marina. John Maczuga, Planner testified that presently there was 8 room motel with office and apartment and a marina with 19 slips. After conversion there will be 21 parking spaces, Boro zoning calls for 46 spaces, Mr. Maczuga feels this is adequate for the site. North of the property is existing sub-div., west is entrance road to development, east side is single family homes including some two families, south side is Deep Creek Dr. On the Southeast corner there are single family homes and the southwest corner is Marina and boat repair and Jim's Boat House. Planner feels use is more compatible, in light of new development taking place. There will be no increase of building footprint, except decks. The impact will be beneficial and upgrade the site, and will not be a detriment to the Zoning plan. It was noted that no objectors were present.

Andrew Labowsky, 12 Plainfield Ave., Lavallette, N. J. is owner.

Mr. DeVincens testified that two 2 bedroom units on the first floor and two 2 bedroom units on second floor with loft are planned. The building will be completely renovated with new doors, windows, roof raised and redone and resided. The roof will be 34' to peak. Landscaping will be as pleasing as possible. Marina will not have building servicing it. The marina will be rented to condo residents first, then to area residents. No boat storage, no winter storage. Cost of condos will be \$175,000. They feel it will attract professional people using for summer residence. Mr. Mastrian suggested an occupancy limit and rental of 6 mo., no less. Attorney will look into occupancy.

J. J. Mallon, engineer said they need parking relief, most of parking will not be head on. Flooding was not taken into consideration, because remodeling not building new. There will be lights around parking lot as described on blueprint page 2 of 2. Total area of site is 4/10 of acre. Mr. Mallon said he will investigate flood relief for area. Board asked Ocean Ventures to submit plan to T & M Assoc. Boro Engineers, also the Secretary will ask T & M to send an engineer to the May meeting with his comments on the plans. Engineers will address question of egress and fire escape. (secretary will submit plans to Boro Fire Official). Mr. DeVincens will bring his Architect to May meeting.

New business:

Board discussed members not attending meetings. Mr. Ragan will search by-laws. Board feels if members cannot make meetings, they should resign. Mr. King will speak to Ron Doles.

The following inspection assignments were given to Board Members:
Schible - Mount Lane - C. R. King.

Kemp/Pieretti - 207 Second Ave. - R. Griffith

Chicant Corp - 165 Beachfront - J. Mastrian

C. Peters - 47 Taylor Ave. - S. Yatter

Mr. Ragan will speak to Mr. Fitzsimmons, Boro Atty. about two kitchens.

Mr. Mastrian recommended a heavy fine be levied when work is done without permit or before they come to Board, he feels Mr. McNee should be fined. Secretary will check with Construction Official, on fines.

Secretary will check with Code Enforcement about Walter Butler, 1 Main St. - Did he clean up debris from construction.

Adjourned: 11:45 pm


Margaret Kazenmayer
Secretary

BOROUGH HALL, 15 TAYLOR AVENUE

Incorporated December 30, 1887

(201) 223-1480
If No Answer
(201) 223-0544

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, June 18, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Resolution 7-86 - Paul Saker - 157½ South Street

Resolution 9-86 - Steven Pringle - 255 First Street

Application 5-86 - Ocean Ventures - 410 Brielle Rd. - con t'd

Application 11-86 - Barbara Langella - 534 E. Main St. - cont'd

Application 10-86 - William Wight - 75 Morris Avenue *Postponed*

Application 12-86 - Jack Dorfman - 460 Brielle Rd.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan,
June 13, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

ABSENT: R. Doles.

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the April meeting were approved.

Resolution 4-86, Thomas McNee, was read by Peter Ragan, moved by J. Mastrian, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. Griffiths, J. Mastrian. Abstain; R. King.

Resolution 6-86, Anthony Sa, was read by Peter Ragan, moved by J. VanSchoick, seconded by K. Schneider and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, R. King, R. Griffith, J. Mastrian. Abstain; E. Wagner.

Resolution 8-86, Norman Milligan, was read by Peter Ragan moved by K. Schneider, moved by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider J. VanSchoick, E. Wagner, C. R. King, R. Griffiths. abstain; J. Mastrian.

Application 7-86 - Paul Saker - 157½ South St. - cont'd

Chairman asked for comments on Site Inspection. All comments favorable, members said stairway down to ground from deck, on side of house is included in application. Close public hearing. No objectors present. J. Mastrian moved a favorable resolution be drawn seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. King, J. Mastrian. abstain; R Griffiths.

Application 9-86 - Steven Pringle - 255 First Avenue - cont'd

Site inspection discussed. J. Mastrian said floor needs bracing and should be part of resolution, noted by C. O. Close public hearing. No objectors. Board approved memorialization and instructed Mr. Ragan. Construction work can start immediately at owners risk. J. VanSchoick moved a favorable resolution be drawn and seconded by S. Yatter, carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths. Abstain; J. Mastrian.

Ten minutes recess - roll called.

Application 11-86 - Barbara Langella - 534 E. Main St.

Postponed until June meeting, no further notices required - Because of 11:00 pm time limit could not hear this application.

Application 5-86 - Ocean Ventures - 410 Brielle Rd. - cont'd

John DeVincens, Atty.
Andrew Labowsky, owner

Board has copy of ^{LETTER} Mr. Farrell, Boro Engr. sent on Castaways property, dated 5/15/86, and letter from R. Cebrick, Architect of 5/20/86 marked A-12. Also revised plan 5/21/86 and marked A-10.

Mr. Mallon, Engr. addressed Mr. Farrell's letter on the following points:

2. a, b, c, - Will be corrected.
- 2D will show floor 9' msl, run-off will be increased slightly.
3. Not permitted use in B-2 zone, engineer says they are de-intensifying use.
5. will comply.

Mr. Mazuka, planner discussed parking. He feels parking is better, 11 spaces no longer back into Brielle Rd., He says spaces adequate for parking. There will be 4 less units, Marina parking standards from State is .07 to .08 per marina slip or approx. 15 spaces plus 2 per unit or a total of 23. Planner feels they are reasonably close to parking requirements. Some residents will use slips, thereby reducing parking for marina. R. Cebrick, Architect said revised plans 4 pages, answers #4 of Mr. Farrell's letter.

Mr. Farrell, Borough Engr. was sworn in and discussed his letter of 5/15/86:

- 2A - C has been addressed.
- 2D - wants to see flow plan.
3. Stands on its own.
- 4, 5, 6, 7, Does not consider condo a single family.
8. Parking unstructured and informal .8 spaces should be adequate, except on weekends.
5. Advises dumpster - ^{DEWINKLE} Attorney says need large vehicle to empty and feels would be over kill for 4 units.

May 21/86

Mr. Mastrian objects to parking and marina slips. He feels parking inadequate and boats would have problems maneuvering in and out of tight slips. Wants slips reduced to max. of 13.

Mr. Sullivan asked how many single units could be built. Mr. Labowsky did not know.

Mr. Mastrian asked Mr. Cebrick if in his experience people bought for investment or rental or owner use. He answered they are mostly purchased by families as second homes. Mr. Mastrian noted that 8 motel units generate 16 people at one time, but 4 condos would generate more according to size of bedrooms planned. Mr. Mastrian feels area already congested and there is no overflow areas now that the new sub-division is being built. He wishes deed restriction of min. 6 month leases.

The question of whether the loft was a third story was addressed by the Architect. He says that BOCA 501. mezz. states if loft is 1/3 of floor below, it is habitable and considered a 1/2 story. They will follow code for single and two family residences. The footprint of the building will remain the same, - changes in windows, siding, roof stairway and balcony. Materials will be those generally used in residential housing. Architect cannot give a concrete answer to whether the building will be demolished and started new or if they will use present structure. Must wait until building is gutted to answer.
Comments from the audience:

Mary Birckhead, E. Main St. asked why they thought there would be less people in a condo than in a motel.

Mr. Wells, Second Avenue - He feels 3 bedrooms mean at least 6 people.

Mrs. Bresnahan, Beachfront - Asked cost. \$200,000.

Mr. Fletcher, Second Ave. - will units be single family dwellings? Can they be rented? The Planner thinks buyers will be people who will use themselves or rent to responsible tenants. Planner thinks occupancy would be same for 8 motel units as condos. Mr. Mastrian disagrees, he says condos could have up to 34 people.

Mr. Wells, Second Avenue - concerned about water on street at high tide. Engineer says condition was existing, they are not adding to it.

Anne Matthews asked when date for next hearing is - June 18, 1986.

Mr Labowsky testified he will limit occupancy to 6 each unit, but will only limit rental to one week. If he does not get variance he will rent apartment and motel and marina. There will be no on premise operator, just an office will be maintained. He would agree to lower marina to 18 boat slips. The construction will be as presented to the Board. From his past experience professional or business people will buy units and use themselves, if they rent it will not be on a absentee basis, they will check unit frequently. Mr. Labowsky will retain ownership of marina and will be maintained by periodic check, no operator will be present. If problems, you will have to contact his office in Lavallette. E. Wagner wants someone to police marina. Mr. Labowski said master deed give access "at will" to Police, fire and first aid.

Again Mr. Labowsky won't know if razing or building on existing until open up the interior. He usually works with Construction Official, if members structurally sound will use existing structure. If pilings needed after soil tests, they will use pilings. Mr. Mastrian says there is a contradiction in testimony, Mr. Labowsky says he will not limit rentals to 6 mo. because it will limit marketability, yet he says these units' will attract buyers who will use themselves or rental to responsible people, these are not weekly rentals.

In answer to questions from audience, Mr. Farrell said no problem with water and sewer accommodations.

Mr. Marra, 517 E. Main St. wants to know what it will look like in 3 or 4 years. What funds will maintain appearance. Mr. Labowsky said Budget for condos with line item for repairs, etc.

Public hearing will continue June 18, 1986.

Old business:

Construction Official says fine for working without permit must be issued before variance granted.

New business:

Inspections:

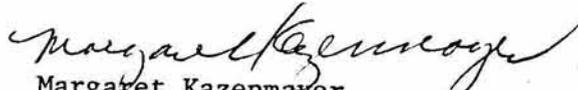
4-86 McNee - VanSchoick ---- 6-86 Sa - Wagner ---- 8-86 Milligan - Mastrian.

Mayor Winterstella suggested Board meet with C.O. and discuss fines for no permit.

Walter Butler cleaned up 1 Main St. of constr. debris. Inspected by H. Jantausch.

Adjourned: 11:30 pm

Peter Ragan will not attend July meeting
will send Fred Blänkenhorn.


Margaret Kazenmayer
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, July 16, 1986 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 pm in Council Chambers on the First floor of Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Resolution 5-86, Ocean Ventures - 410 Brielle Rd.

Application 11-86 - Barbara Langella, 534 E. Main St. - cont'd

Application 12-86 - Jack Dorfman - 460 Brielle Rd. - re-noticed

Application 10-86 - William Wight - 75 Morris Avenue - withdrawn.

Application 13-86 - John Dowling, 45 Beachfront


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan,
July 11, 1986

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 6/18/86.

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, R. Griffiths.

ABSENT: Ronald Doles

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public Meetings Act. of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the May meeting were approved.

Resolution 7-86 - Paul Saker - 157½ South St., was read by Mr. Ragan, moved by S. Yatter, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian. Abstain; R. Griffiths.

Resolution 9-86 - Steven Pringle, was read by Mr. Ragan, moved by J. VanSchoick, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider J. VanSchoick, E. Wagner, C. R. King, R. Griffiths. abstain; J. Mastrian.

Vote to limit meeting to 11:00 pm.

Application 5-86 - Ocean Ventures - 410 Brielle Rd. - cont'd

John DeVincens, Atty. - Mr. Mallon, Engr. - Mr. Mazuka, planner
Andrew Labowsky, owner - R. Cebrick, Arch.

Exhibit A-13 entered.

Mr. Mazuka discussed reducing marina from 21 to 18 spaces for small craft. He said small craft would have no trouble maneuvering into slips. Mr. Mastrian wants a definition of "small craft" Mr. Mazuka said A-13 "Developing a Marina in N. J." does not define "small craft". Mr. Mazuka said most municipalities require 9' x 18' slips.

Mary Birckhead presented a petition with 400 names against the project. The petition was noted, but not marked into evidence. Mr. DeVincens objected to petition being evidence. Alice Hemphill, Fletcher Ave. asked if a height variance was being required - NO.

R. Zanes, SEcond Ave, said Brielle Rd. is a main entrance to Manasquan and would like adequate landscaping and screening.

Clair Collins, Beachfront, asked how many condos will be built? 4

P. Baymore, Salmon Ave. feels parking inadequate.

D. Geortner, First Ave.-wants Board to consider density, with new sub-div. the area is crowded enough.

Mr. DeVincens summed up the testimony given by Ocean Ventures. He stated that the audience was unfair in their objections, as most of them had not heard testimony given at the previous meetings. He feels it will be a de-intensification of use of area. The project will conform more to residential area. It will relieve flooding, upgrade entire site. Channelling of water will benefit area. Footprint of building will remain the same. The parking will be controlled. Marina slips reduced to 18. Mr. DeVincens feels the use will be less dense and intense than before.

Public meeting was closed. J. Mastrian made a motion to deny application, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, E. Wagner, J. Mastrian. No; J. VanSchoick, C. R. King. Abstain; J. Griffiths.

Application 11-86 - Barbara Langella, 534 E. Main St.

John C. Carton, Atty.

Exhibits marked into evidence A-1 to A-7

Jack Langella, 405 Pine Ave., Manasquan, N. J. was sworn in. He testified that his wife Barbara Langella, owned the seasonal restaurant known as the Surf & Sand and operated it from May 30th to Sept. The restaurant seats 92. Mr. Langella testified that the restaurant needs repairs and building is below grade and subject to flooding. It needs general renovation, which would be difficult and expensive. Mr. Langella proposes to use the property to construct 2 buildings with 3 condo units in each. One located west on Pickle Alley and one on Third Avenue. Access will be from Pickle Alley and Third Ave. No driveways will be on Main St. All units will have cedar siding with 2 parking spaces, one garage and one outside space. Units have two bedrooms. West of property are single family homes, to the East is St. Denis summer chapel, south is laundromat and north are more single family homes. Each unit will sell for \$175,000. Mr. Langella believes they will be occupied year around. He would be willing to put a deed restriction, requiring 1 year leases for rental. The total property area is 19,300 sq. ft. Mr. Langella introduced rendering of units and it was marked at A-8. In answer to question, Mr. langella replied that 5 single family homes could be fit on the property, but he feels condos more beneficial. Five single family homes would have more bedrooms and no rental restrictions. There would be regular garbage collection, no balconies on second floor, decks would be on first floor. Ht. of bldgs. would be 35'.

Mr. King asked for questions from the audience.

Mary Birkhead, E. Main St. - Objects to condos, stated it has been an eating establishment for 30 years. Mr. King said question irrelevant.

P. Baymore, Salmon Ave. - Likes concept.

June Sniezek, 7 Pickell Way - Asked if Pickell Alley is a street or private drive? Mr. Langella replied it was a Boro street to his knowledge.

D. Geortner, 45 First avenue - Doesn't want sub-letting permitted.

Mark McCabe, Euclid Ave. - Asked if year lease could be broken. Attorney said if lease broken after 4 mo. it cannot be rented for 1 year.

J. Iannelli, Code Enforce. Officer - Asked what are options if variance is denied. Mr. Langella has several options, one is to operate all night restaurant.

Mr. Ronald Sebring, Architect, Hwy. 34, Wall, N. J. was sworn in. Mr. Sebring testified that property is at 5' elev. It needs to be raised 6' to an elev. of 11' to conform with Federal flood elev. It would have a berm to protect from E. Main St. They need a height variance of 3'. The first level would be at elev. 11' and would include a powder room, entry way and stairs. The site has a drainage problem that will be corrected with new construction. Site will be heavily landscaped, with black pine fence as a buffer to Main St. and other neighbors. Area has high density zone to west and north. Mr. Sebring introduced a plot plan for single family sub-div, it was marked A-9. He feels present use intense, townhouses generate a fraction of use. Mr. Langella considered a motel which would have 30 units on site. He doesn't see any drainage problem after construction, ground should percolate moderate rain. It will have positive effect on area.

Recess called for 10 min. -

Roll call - all present as previously noted.

Mr. Sullivan asked if rear of bldg. would be the same as front? Yes. Mr. King asked Mr. Sebring to submit plan to Boro Engr. for comments. Mr. Sebring said he would. Mr. Sebring also said the lighting would be residential and does not recommend dumpsters, use regular trash cans and keep in garages. Condo Assoc. will have maintenance.

June Sniezek, 7 Pickell Way - She is afraid water will pour onto Pickell Alley, as there are no storm sewers. Also, debris will accumulate because there are no curbs. Mr. Sebring said there is a rise of 9" in 20' on Pickell Alley and water drains downhill toward E. Main St. She also recommended that Pickell Alley be one-way, not enough room for 2 cars. Mr. Sebring said northeast end 20' wide and Main St. end 17' wide.

B. Schwind, 167 Fourth Ave. - likes plans, but problem with flooding on E. Main St. Feels water will converge on his property. Mr. King said Boro Engr. will address all these problems.

June Sniezek, 7 Pickell Alley - This is the only condo of this type in area.

J. Iannelli, Code Enforcement Officer - Will utilities be put in before or after condos built? They will be put in at time of building and electric will be underground.

A. Hemphill, Fletcher Ave. - Asked how many variances are being asked for. Mr. Sebring said 7 variances, use, parking, area, density, height, bedrooms and yard width. Structures will be 33' high, more than surrounding area.

M. Birkhead, E. Main St. - Why chose condos over 5 single homes? Mr. Sebring responded that there would be more driveways on Main St., will not look as dense with condos, Condos have rental restrictions.

P. Baymore, Salmon Ave. - Single family homes could be any design instead of uniform as the Condo units.

M. McCabe, Euclid Ave. - Single family houses ^{would} be more attractive to investor than Condos? Mr. Sebring thinks so.

Mr. Matthews, Second Ave. - Feels it would change environment of Manasquan by introducing Condos. Asked if they had researched group rentals in area. *NO*

J. Mastrian asked if could develop as 5 unit detached house condos. Mr. Sebring said attached housing cheaper, more open spaces and more attractive. Mr. Mastrian objects to piecemeal development of Condos in Beach area. Doesn't want to set precedent. Mr. Yatter asked assessed value now: \$145,000 for land, 38,000 for bldg., taxes are \$3600. Mr. Sebring said its possible to increase taxes 5 fold.

R. Zanes, Second Ave. - Asked Board to find a way to look at whole area for condo dev.

A. Hemphill, Fletcher Ave. - Why did they ask for 6 units instead of 5? Mr. Langella said ^{HE} would still have to come to Board.

P. Dunn, Long Ave. - Is restriction in Condo deed legal? Yes, Board attorney said it has been upheld in court.

E. Miller, Second Ave. - Doesn't feel 2½ story will blend in with low housing in area.

Board voted a site inspection Saturday June 21, 1986. Hearing will be continued at the July 16, 1986 meeting. Secretary was instructed to contact Mr. Farrell, Boro Engr. and ask him to be present at the July meeting.

New business:

Board appointed K. Schnieder to inspection Saker construction at 157½ South St.
J. VanSchoick will inspect Pringle construction at 255 First Avenue.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, March 19, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of Borough Hall, 15 Taylor Avenue Manasquan, N. J.

Formal action will be taken on the following items:

Resolution 25-85 - John Shibles - Mount Lane & Virginia Avenues

Resolution 1-86 - Chicant Corp. - 165 Beachfront

Resolution 24-85 - Kemp/Periette - 207 Second Avenue

Application 3-86 - Charles Peters - 47 Taylor Avenue, cont'd

Application 4-86 - Thomas McNee - 573½ Perch Avenue

Application 5-86 - Ocean Ventures, Inc(Contract purchaser) 410 Brielle Rd.

Application 6-86 - Anthony Sa - 328 First Avenue

postponed to April
Castaways

Margaret Kazenmayer
Secretary

dated at Manasquan
March 14, 1986

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, R. Griffiths, J. Mastrian.

ABSENT: R. Doles

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public meetings act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the January meeting were approved amended as follows: "Mr. VanSchoick chaired the hearing for Mobil Oil."

Resolution 2-86, Mobil Oil, was read by Mr. Genz, moved by J. VanSchoick, seconded by E. Wagner and carried by the following vote: yes; S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. Griffiths, J. Mastrian.

Application 25-85 - John Shibles - Mount Lane & Virginia Ave. - Cont'd

Kenneth Duane - Attorney

Edward Maceiko, Engineer

Mr. King read traffic study by Patrolman J. Garrity into the record. Mr. Farrell, Boro Engr. was sworn in. He referred to his letter of January 13th and said he had a meeting with applicants engineer Feb. 2nd with revised plan marked A-14. Mr. Farrell read his letter of Feb. 19th and answered point by point. Mr. Farrell recommended not giving lot 170.02 away. Mr. Duane explained it would have deed restrictions and would never be built on. Mr. Farrell had no objection, if it was not built on. Borough would be responsible for drainage flow, and property owners are responsible for banks of creek. Stream will be kept in natural state. A restriction in Condo Association will limit occupants to 4 and rental must be for at least 90 days. Mr. King read a list of conditions that should be met, if the Board grants the variance. Mr. Mastrian suggested one building of 12 instead of 2 bldg. of 16 units. Mr. Shibles said it was not recommended by planners. No objectors were present at meeting. Public meeting was closed. L. Sullivan moved a favorable resolution be drawn to include all restrictions stated, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, R. King, R. Griffiths.

Application 1-86 - Chicant Corp. - 165 Beachfront - cont'd

Site inspection was made by Board. The property is in a general state of disrepair and needs general renovation. Plan revised to show stairs(A-11) will not encroach on neighbors property. Mr. Carpenter, engineer tested pilings. He stated piles 10" to 12" in dia. and made of cedar. He feels piles well into ground and adequate to support building. The building is leaning because of way roof is constructed..roof is pushing wall out, renovation calls for replacing roof and supporting walls. Mr. De Rosa sworn in, he is chief exec. officer of Chicant Corp. He says property consists of 4 buildings with 7 units, all in need of renovation. They intend to renovate other buildings later. He is willing to limit occupancy to 3 in lower apt. and 2 in upper apt. Ultimate destiny is to upgrade and sell. Possible in condo form. In condo situation it is common to limit occupancy, according to K. Thomas, atty.

J. Mastrian disturbed by parking, asked if any way to improve parking. Mr. DeRosa will come before board again for other variances, he will address parking then. J. Mastrian wants to leave property without heat, Engineer says can be done if ducts, insulation etc. are done, leaving out furnace. Only way to get more parking is to extend under First Avenue houses. No land available. Cost of renovation \$50,000 to 165 Beachfront. Ida Hood - 161 Beachfront concerned about parking and will rentals be summer and winter. Mr. DeRosa says rentals will be annual.

Noel Hood - 161 Beachfront, concerned about pilings, feels they need new pilings. Mr. Carpenter said only if 50% of house is renovated.

Philip Buglino - 55 Beachfront - agrees parking is terrible, but he is in favor of application.

Mr. Thomas, atty. said plan good in terms of law, improving safety, improving neighborhood, no detriment to public. The applicant benefits, town and neighbors benefit. Public meeting closed.

J. Mastrian feels they are amking problems more complex, especially parking, he cannot support application. E. Wagner is in favor of variance because it will correct encroachment on neighbors property and condition of property. Mr. King feels benefits outweigh detriments. S. Yatter against density and parking, cannot support application. Mr. Griffiths feels they are perpetuating violations. Mr. VanSchoick and Mr. Schneider agree with R. King. Favorable resolution was moved by E. Wagner, seconded by K. Schneider and carried by the following vote: yes; L. Sullivan, K. Schneider, J. VanSchoick, E. Wagner, C. King. No; S. Yatter, J. Mastrian.

Application 3-86 - Charles Peters/John Condon - 47 Taylor Avenue

K. Thomas, Atty.

Mr. Peters wishes to convert single family home into two family dwelling. House 80 years old and in rundown condition. Its in a C zone or office commercial. Most properties in area are not single family homes. Mr. Peters plans to reside, replace porches, new heating, plumbing, electric, new kitchens and baths, improve parking and driveway, replace windows and insulate. He needs 2 rents to pay for mortgage and taxes. They will be one bedroom apartments for a couple or single. No structural changes. Site inspection was voted for March 8th. Secretary was instructed to write a letter to the Constr. off. and check egress for second floor. Continue at March meeting.

Application 24-85 - Kemp/Pierette - 207 Second Avenue

At January Board voted resolution to deny because applicant was not present. Board voted Feb. 19th to recind denial and reopen application.

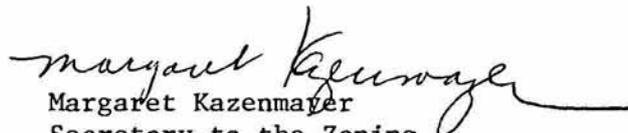
Mr. Kemp said 1st floor will be rental and 2nd floor will be for owners use. Garage in rear is empty - parking for tenants will be in yard. Closed public hearing.

K. Schneider moved a favorable resolution be drawn, seconded by S. Yatter and carried unanimously.

New business:

Sam Yatter is to check with Mayor about approval of site inspections after variances granted.

The Board was present at the site inspection on First Avenue when Eve lyn Wagner received a parking ticket. The Board members unanimously voted that the Board of Adjustment will pay the ticket, because Evelyn was on Borough business at the time the ticket was issued.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

AMENDED AGENDA

In addition to the Agenda posted April 9, 1986 the following item
will also be heard:

Application 8-86 - Norman Milligan - 355 Beachfront



Margaret Kazenmayer
Secretary

Dated at Manasquan
April 15, 1986

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, April 16, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Resolution 3-86 - Charles Peters/John Condon - 47 Taylor Avenue

Application 4-86 -- Thomas McNee - 573½ Perch Avenue - cont'd

Application 6-86 - Anthony Sa - 328 First Avenue - cont'd

Application 7-86 - Paul Saker - 157 South Street

Application 9-86 - Steven Pringle - 255 First Avenue.

Application 5-86 - Ocean Ventures (Castaways) - 410 Brielle Rd. - postponed at
March meeting


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

Dated at Manasquan
April 9, 1986

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ADJUSTMENT 3/19/86 MANASQUAN, NJ.

MEMBERS PRESENT: L. Sullivan, S. Yatter, J. VanSchoick, E. Wagner, C. R. King,
J. Mastrian.

ABSENT: K. Schneider, R. Doles, R. Griffiths.

The meeting was called to order at 8:00 pm by Mr. King, chairman. Having a quorum present, the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open public Meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

The minutes of the February meeting were approved.

* Resolution 24-85 - Kemp/Pieretti, was read by Mr. Ragan, moved by E. Wagner, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian.

* Resolution 25-85 - John Shibles, was read by Mr. Ragan, moved by L. Sullivan, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, J. VanSchoick, E. Wagner, C. R. King. No; J. Mastrian.

* Resolution 1-86 - Chicant Corp, was read by Mr. Ragan, moved by J. VanSchoick, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter James VanSchoick, E. Wagner, C. R. King. No; J. Mastrian.

Application 3-86 - Charles Peters/John Condon - 47 Taylor Avenue - cont'd
Site inspection was made 3/18, general opinion of Board was any improvement would be better than present condition. The property is 200' deep and has room for 6 cars to park. The shed will be removed. A letter was read from Albert Ratz, Construction Official, the letter stated a second means of egress from the second floor was not required. The third floor will be storage only. No objectors were present. Public meeting was closed. Board felt it would improve area and many 2 family houses were in the area. E. Wagner moved a favorable resolution be drawn, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian.

Application 4-86 - Thomas McNee - 573½ Perch Avenue
Mr. VanSchoick took over as chairman for this application, Mr. King had been notified. Nick Campagne, engineer, 460 Charles St. Freehold, N. J. testified that the owner needed a garage on his house. Dormer does not extend into side yards as far as the original overhand did. Mr. McNee needs side and rear yard relief for deck on top of garage. There seemed to be a question as to what the building permits were for. Did they include the dormers or not? Secretary was to check permits before next meeting. Site inspection was for March 22, 9am.

Application 5-86 - Ocean Ventures (Castaways) - 410 Brielle Rd.
Postponed until April meeting.

Application 6-86 - Anthony Sa - 328 First Avenue

Mr. Sa's present deck is 7' 8", he wishes to enlarge to 12' and would incorporate stairs into the deck, the stairs would face south, the width would be the same. Site inspection voted for March 22nd, 9:30 am. Continue hearing Apr. 16th.

New business:

Two kitchens were built at 47 Taylor Avenue. A building permit was issued by the C.O. The Board would like to know how this was possible without their approval. Refer to K. Fitzsimmons letter of 2/26/85.


Margaret Kazemayer
Secretary

* NOTE: The above noted resolution shall contain the following paragraph:
"The applicant shall grant reasonable access to property during normal hours of Manasquan, to a person or persons to be designated by the Board for the purpose of inspection of the development on the subject site.

All future resolutions shall contain this paragraph.

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

Please note that on Wednesday, February 19, 1986, the ZONING BOARD OF ADJUSTMENT of the Borough of Manasquan, will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following items:

Resolution 2-86 - Mobil Oil Corp. - Parker Avenue

Application 25-85 - John Shibles - Mount Lane - cont'd

Application 1-86 - Chicant Corp. - 165 Beachfront - cont'd

Application 3-86 - Charles Peters - 47 Taylor Avenue

Application 24-85 - Kemp/Pieretti - 207 Second Avenue (discuss re-opening of case).



Margaret Kazenmayer
Secretary

Dated at Manasquan
February 14, 1986

MINUTES OF THE MANASOUAN BOARD OF ADJUSTMENT REGULAR MEETING - 1/15/86

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, E. Wagner
C. R. King, R. Griffiths, J. Mastrian.

ABSENT: R. Doles

The meeting was called to order at 8:00 p.m. by Mr. King, Chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star. Mr. King turned the meeting over to the Attorney E. Genz to conduct the reorganization meeting.

Mr. Genz read resolutions A,B,C,D,E,F, they were voted on favorable by the members and unanimously. Mr. Genz sworn in members that were reappointed on Jan. 1, 1986. C. R. King, L. Sullivan, S. Yatter, J. VanSchoick, R. Griffiths. Mr. Genz turned the meeting back to Mr. King.

The minutes of the December meeting were approved.

Resolution 19-85, was read by Mr. Genz, moved by L. Sullivan, seconded by J. VanSchoick and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King, R. Griffiths, J. Mastrian.

Application 25-85 - John Shibles - Mount Lane - cont'd

Attorney: Kenneth Duane

Mr. Shibles introduced three new exhibits to be marked into evidence A-11, 12, 13, Mr. Shibles also said that he spoke to Msgr. O'Connor and he will accept the donation of land to the rear of the property bordering on Judas creek and including the creek. He also agreed to deed restrictions to limit occupants to 4 per unit and a restriction prohibiting rental for less than 90 days. Each Board member had a copy of Mr. Farrell's letter of 1/13/86. Mr. Shibles addressed each item of the letter especially items concerning parking, storage, bedrooms, sidewalks and garbage receptacles.

Mr. Griffith recommends only 2 curb cuts for ingress and egress to protect children coming from school. Mr. Shibles responded he would have to move bldg. back 24' to do this and would then encroach on stream.

Mr. Mastrian asked Engineer about flooding of creek and how you prevent flooding. He stated that St. Denis school floods now. Mr. Maceiko said detailed plans will show control of flooding and plans will include interception of water before reaching Virginia Avenue.

Walter Donovan testified that 2 bedrooms are necessary and present no problems in other area condos.

Mr. Yatter also objects to parking, wants different plan worked up for parking. Mr. Shibles again said he is restricted on placement of parking because of stream. Mr. King asked the secretary to arrange to have the Borough Engineer at the next meeting and also a traffic study to see how many school children use Mount Lane every day. To be continued at Feb. meeting.

Application 1-86 - Chicant Corp. - 165 Beachfront

Attorney: Keith Thomas
Engineer: Ray Carpenter

William DeRosa, Pres. and Chief Ex. Officer
3 stockholders

Mr. Thomas stated that Chicant Corp is a Netherlands Antilles Corp and is licensed to do business in N. J.

Mr. Carpenter described the premises in question as a 2 family non-conforming dwelling on the beachfront with certificate of occupancy for 2 on the first floor and 4 on the second floor. Mr. Carpenter considers house to be unsafe in present condition. He intends to make the following improvements:

Raise roof 3½' to provide 8' ceiling height.

Eliminate stairs from second floor to front of building, put circular stair instead, eliminate encroachment. Narrowing 1st fl. stairs to 30" this is a secondary entrance.

Include furnace and closets on first floor.

Replace deck.

New cedar shakes will be installed over sheetrock.

Replace second floor windows and door.

Replace roof.

Add second bedroom to second fl.

Enclose foundation with breakaway wall, use same pilings.

Cost: approx. \$50,000.

Fence on north will be removed where encroaching.

Mr. Mastrian asked Mr. Thomas if he knew the future of the property and if the parking would be improved. He did not know. Mr. Thomas believes the variances can be granted without detriment to the public, he is not expanding use and the benefits outweigh any detriments. Structure not safe according to BOCA and he feels safety is served by renovations.

Mr. King asked for questions from the audience:

Ida Hood - Beachfront - She feels foundation unsafe, because house leaning to the north.

Noel Hood - Beachfront - asked percentage of renovation - 30%.

Board voted to continue meeting in February and a site inspection was ordered for Jan. 18.

Application 2-86 - Mobil Oil Co. - Parker Avenue

Eric Steinfeldt - Regional Manager

Patrick McAndrew, attorney.

Anthony Abbott, Engineer

*J. Van Schouch chaired
appl.*

Mr. Steinfeldt testified that they need a new sign because the station is on a curve and the I.D. and price sign on the northerly end of property. Sign will be 5' x 12' with price addition 4' x 5', about 85 sq. ft. plus 25 sq. ft. on one pole. It will be approx. 25' from curb and will be the only sign on site advertising the Mobil I.D. Mr. Abbott, Engr. said other free standing sign on site is for cigarettes. He also said Mobil station on Union Ave. would not need sign, their present sign is adequate. The single pole sign will stand up to 70 mi. hour winds and 30 lbs. per sq. ft. The public hearing was closed. Mr. Yatter moved a favorable resolution be drawn, seconded by E. Wagner and carried ~~unanimously~~. *abstain - King*

Application 24-85 - Kemp/Pieretti - 207 SEcond Avenue - cont'd

Mr. Kemp and Mr. Pieretti did not appear at the hearing. The Board was advised to deny the application because the time limit was running out. Mr. Sullivan moved a resolution be drawn to deny the application, seconded by Mr. Mastrian and carried unanimously. The Board made the provision that Mr. Kemp and Mr. Pieretti could reopen the case by appearing before the Board at the February meeting. The secretary was instructed to contact the applicatns.

Adjourn: 11:15 pm

Margaret Kazenmayer
Margaret Kazenmayer
Secretary

The seal of the Borough of Manasquan, featuring a central figure holding a staff, surrounded by a decorative border.
BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N. J.

BOARD OF ADJUSTMENT

Please note that on Wednesday, January 15, 1986, the Zoning Board of Adjustment of the Borough of Manasquan, will hold their regular meeting at 8:00 pm in Council Chambers on the first floor of Borough Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following items:

Resolution 19-85 - Martin Keefe - 191 Beachfront

Application 24-85 - Kemp/Pieretti - 207 Second Avenue - cont'd

Application 25-85 - John Shibles - Mount Lane - cont'd

Application 1-86 - Chicant Corp. - 165 Beachfront

Application 2-86 - Mobil Oil - 218 Parker Avenue



Margaret Kazenmayer
Secretary

date at Manasquan
January 8, 1986

MINUTES OF THE REGULAR MEETING OF THE MANASQUAN BOARD OF ADJUSTMENT 12/18/85

MEMBERS PRESENT: L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King,
R. Griffiths, J. Mastrian.

ABSENT: R. Doles, E. Wagner

The meeting was called to order at 8:00 pm by C. R. King, chairman. Having a quorum present the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open Public meetings Act of 1975. Adequate notice was given to the Asbury Park Press and the Coast Star.

Minutes of the November 1985 meeting were approved. An 11:00 pm time limit was set for this meeting.

Resolution 21-85 was read by Mr. Ragan, moved by L. Sullivan with the following addition, "All structures violating the variance, must be removed within 90 days from date of resolution" seconded by S. Yatter and carried unanimously.

Application 19-85 - Martin Keefe - 191 Beachfront - cont'd

Attorney for the applicant asked that James Mastrian be disqualified and not be permitted to vote because he is a member of the Manasquan Beach Association. The Board attorney disagreed, Mr. Mastrian is a member of the Association, but the Association did not offer evidence or a petition to the Board as a group, nor were they represented by attorney.

Mr. Mastrian introduced evidence on taxes, density and general comments on the application, Mr. King asked him not to continue with exhibits, as all testimony had been given and the Board was already familiar with facts. Mr. Sullivan is concerned with density allowed by application and is against proposed condo's. Mr. Griffith felt it was setting precedent on the beachfront and was not thoroughly thought out. Mr. Yatter was against application because of density. Mr. King was against application, he felt it was impairing of zoning intent.

Mr. Griffiths moved a resolution be drawn denying the application, seconded by Mr. Mastrian and carried unanimously.

Application 24-85 - Kemp/Pierette - 207 Second Avenue

Exhibits A-1 thru A-10 were marked into evidence. Mr. Pieretti testified that they own the above two family and wish to remove the second floor attic apartment and replace it with a full second floor. They will rent the first floor and use the second floor for themselves. The roof presently runs north to south, the new roof will run East to west and will be 1' 6" higher. Site inspection voted for January 4, 1986.

Application 25-85 - John Schibles - Mount Lane and Curtis Avenue

Ken Duane, Attorney

Exhibits A-1 thru A-10 were marked into evidence. Mr. Schibles is asking for a subdivision, and construction of 16, 2 bedroom apartments in 2 units. He needs the following variance: permission for 2 bedrooms per unit; lot less than 2 acres. The property is located in a multi-family zone, and presently has a 10 unit apartment building on the premises. The property is located on Mount Lane, between Curtis ave. and Virginia Ave., to the rear of St. Denis Church. Mr. Schibles presented a drawing of two, 8 unit buildings. There will be 4 apts. on each floor, if he can't subdivide, he must sell as condos.

Mr. King suggested Judas Creek area not be sub-divided, but be left part of Condo Association to be maintained or donated to St. Denis, if Msgr. O'Connor agrees. Mr. Schibles anticipates the units will sell for \$100,000 to 110,000, and will be designed for the retired, single, widowed or starter home. Storage off the balcony plus closets. The second floor will have a pull down stair to the attic. It will have a crawl space no basement. Bedrooms will be 11' x 15' and 9' x 11'. No pools or recreation of any kind.

Walter Donovan, 61 South St., Manasquan, N. J. testified as an expert real estate witness. He feels it's the best use of the property. Two bedrooms are necessary to attract young professionals or to start a family or elderly need 2 bedrooms for visiting families. Single family houses would not be desirable in this area. J. Mastrian concerned over amount of occupancy in two bedroom apt. (5), he feels price will attract investors. Mr. Schibles will put deed restrictions in Condo Assoc. to address density problem. Edward Maceiko, Engineering expert witness was sworn in. He testified the project will be an asset to the area, it is a quality project. The water and sewer will be adequate, exterior lighting will be shielded, but adequate to light parking area in front of bldg. L. Sullivan does not want sheds or swings, etc. in rear yard.

C. R. King asked Mr. Schibles to submit plans to Borough Engineer. He also asked if the bedroom could be reduced. Mr. Schibles responded that there is no demand for 1 bedroom units, and he could not reduce the bedrooms. Condo Assoc. will be formed after units are sold and it must be filed with the DCA. Mr. Duane will research if the Association

can stipulate "no rentals" in condo by-laws for the next meeting.

Mr. King asked Mr. Shibles to contact Msgr. O'Connor to see if he wishes property. Estimated ratables: minimum 1.6 million. Site inspection voted for Jan. 4. Continue hearing at next meeting.

Old business:

Discussion of meeting with Mayor & Council concerning inspection of construction granted variances. The Board agreed that resolutions should be outlined in detail. Also, the Board would like to meet with the Planning Board to consider a multi-dwelling zone at the Beachfront, moving permits and Cert. of Occ. for resale.

Adjourn: 10:45 pm.


Margaret Kazenmayer,
Secretary

MEMBERS PRESENT: S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner,
C. R. King, J. Mastrian, P. Walsh.

ABSENT: L. Sullivan

The meeting was called to order at 9:00 am by the Chairman, Mr. King. Having a quorum present the salute to the flag was recited and Mr. King made an announcement that the meeting was held in accordance with the open public meetings Act. of 1975 Adequate notice was given to the Coast Star.

The minutes of the special meeting 1/7/87 were approved.

Application 23-86 - Noel Hood - SEcond Avenue - cont'd

Site inspection discussed - Mr. Yatter doesn't object to use, but does not approve of future porch on front, as setback is only 14'. The total height of house will be 29' from existing grade. The lot will be landscaped, gravel in driveway and rear of house. Mr. Hood asked about porch - Mr. Ragan said porch not on application, should not be considered part of appl. No objectors present - closed public meeting - favorable resolution was moved by E. Wagner, seconded by J. VanSchoick and carried by the following vote: yes; S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner C. R. King, J. Mastrian. The Board voted to adopt the resolution for the 1/21/87 regular meeting. Conditions of variance: 14' setback, 6 person occupancy - 15' curb cut.

Application 10-87 - Richard & Wm. Wight - 97 Main St.

S. Yatter noticed - will not vote.

Kevin Thomas, attorney for Wight

Exhibits A-1 thru A-10 marked into evidence.

Mr. Thomas described what his client seeks from the Board: second floor offices
first floor business
third floor, 2 apts.

Mr. Wight was sworn in, he described property as three stories, frame, in disrepair - previous owner was Mr. Irving Kirsch. He said parking was within 200 ft. on Squan Plaza and South St. (municipal parking).

Proposed renovation: repair - rehabilitate exterior to original facade as pictured in exhibit A-9. Restore interior to retail or commercial use and 2 apts on 3rd floor. Two apartments are more feasible than one because of the size of 3rd fl. (1200 plus sq. ft.) Lot in rear has parking for 3 or 4 cars.

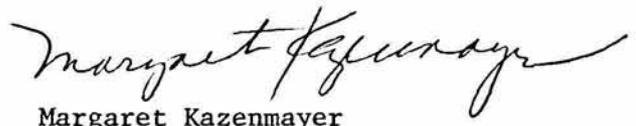
Mr. Ragan swore in Bruce Juska ,373 E. Main St., rental manager for Ward Wight Agency - real estate license. The type of tenant interested in this rental would be young marrieds, with no children or several young people living together. It would be difficult to rent one 1200 sq. apt. They would be annual rentals with a lease. He said average size of apts. his office rents is 500 to 600 sq. with 2 bedrooms.

Mr. Masella sworn in, builder in area for 10 years - he will renovate facade of building according to old picture of 1896 building - must see whats under covering wood, before he can say exactly what will be required to repair. Mr. Massella is experienced in renovation. He submitted pictures of work he has done in past, marked A-11. Midatlantic bank gave permission to work on their side of building. Mr. Griffith wants a drawing showing dimensions of apartments, present sketch not descriptive enough. Mr. Masella will draw new sketch, while Board is at site inspection. Board adjourned to inspect site for 30 min.

Roll call:

Board was impressed with building and plans for renovation. Mr. Masella submitted revised sketch marked A-12. No questions on revised plan. Board will continue meeting on 1/21/87.

Adjourned: 12:10 pm


Margaret Kazenmayer

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES

REGULAR MEETING
DECEMBER 16, 1987

BOROUGH HALL, MANASQUAN, N.J.

The Regular Monthly Meeting of the Board of Adjustment was called to order at 8:00 p.m. Chairman, C. Raymond King presided.

Roll Call: Board Members present were: Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. Absent: Leonard Sullivan, Patricia Walsh.

The Chairman noted that a quorum was present and asked for the salute to the flag. Mr. King announced that this was an open Public Meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Mr. King asked for approval of the minutes of the last meeting and James Mastrian called attention to the fact that the testimony on the Chicant Application was not included in the minutes. The Secretary was instructed to amend the minutes and a motion was made to approve the minutes as amended by James Mastrian, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Samuel Yatter and James Mastrian. "No" none. Abstain: Robert Griffith, James Van Schoick, Evelyn Wagner.

Resolution 23-87 - Gary Smith - 42½ North Main Street

Attorney Peter Ragan read the Resolution. Kenneth Schneider made a motion to approve the Resolution, seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter. "No" Robert Griffith, James Mastrian.

Resolution 26-87 - Walter Carlson - 199 Third Avenue

Mr. Ragan read the resolution. A motion was made to approve the Resolution by Kenneth Schneider and seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter. "No" James Mastrian.

Application 24-87(Cont.) - Alan Steiner/Bianca Franchi - 27 Beachfront

H. Alton Neff, Esq. represented the applicants. Mr. Neff called Mr. Daniel McSweeney, a Professional Planner to testify. Mr. McSweeney of 1466 Route 88 West, Brick, N.J. was administered the oath by the Board Attorney. Mr. McSweeney reviewed the renovations of the building with the Board and answered any questions that the board had regarding the plans.

Mr. Neff also referred the Board's attention to the letter from Albert Ratz re: the percentage of renovation to the building in relation to whether or not pilings would be needed. Mr. Ratz did not feel that pilings were indicated.

The Board Members discussed the application and there being no further comments from the Board or the audience a motion was made to close the hearing by Kenneth Schneider, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

A motion was made to draw up a favorable Resolution by Evelyn Wagner seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" Robert Griffith.

Application 25-87(Cont.) - Chicant Corporation - 165 Beachfront

Mr. Kevin Thomas, Esq. representing Chicant Corp. requested that the hearing be postponed until the January 20, 1988 meeting at which time he hoped to have an answer from FEMA regarding the flood zone that the building is in. He advised the Board that he did have a contact in FEMA and should have the information by the next meeting. A motion was made by Kenneth Schneider to continue the hearing at the January 20, 1988 meeting, seconded by Evelyn Wagner. Motion was carried by the following vote: Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Application 22-87(Cont.) - Donald & Ann Jaspan - 91 Main Street

The Board Attorney, Mr. Ragan, advised the Board that Mr. Jaspan had requested that his application be withdrawn at this time and that he would reapply at a later date. James Van Schoick made a motion that the application be withdrawn seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Application 27-87(Cont.) - Richard Mueller - 79,81,83 Beachfront

Mr. King noted that a site inspection had been done on November 21, 1987 and asked the Board for their comments. The Board Members found no problem with the plans and since there were no objections from the audience, a motion was made to close the hearing by James Mastrian and seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

A motion was made to draw up a favorable resolution by James Mastrian and seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Application 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Mr. Ragan marked the file and administered the oath to the applicants, Walter and Susan Dreyer of 240 Deep Path, Gillette, New Jersey. Mr. & Mrs. Dreyer explained the plans they had submitted to add a second floor to their home which is presently a one story duplex. The one side of the duplex is rented. Their plans

included winterizing the building, improving the exterior, and renovating the the interior. By adding a second story to the building they would gain bedroom and living space that was needed for their own family. The Board Members reviewed the plans with Mr. & Mrs. Dreyer and agreed to do a site inspection Saturday, December 19, 1987 at 9:00 a.m. A motion was made to continue the hearing at the January 20, 1988 meeting by James Van Schoick and seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter and James Mastrian. "No" none.

Application 29-87 - Thomas Trezza - Third Avenue

Mr. Ragan marked the file. Ms. Amy Warner, Esq. represented the applicant. Mr. Ragan administered the oath to the applicant, Thomas Trezza, 35 B Weston Road, Somerset, N.J. Ms. Warner advised the Board that Mr. Trezza had received a variance on September 18, 1985, but before he started to build the house the variance had run out the time limit. Mr. Trezza was applying for the same variance except that the plans would be slightly different. The Board discussed the fact that there would be zero setback on one side of the building and did not want to approve the variance without seeing the new plans.

Mr. Noel Hood, 161 Beachfront, voiced strong objections to the zero sideyard setback. He felt that this would become an encroachment on the property next door and would set a dangerous precedent.

Mr. Hood was advised by the Board that unfortunately, this precedent had already been set in some cases in Manasquan.

Mr. Gary Walsh, 111 Stockton Lake Blvd., also voiced objections to the zero sideyard setback since he owned the property next door. He did not object to a house being built on the undersized lot but objected to the encroachment on his property. Mr. Walsh did not own his house at the time the variance was approved in 1985. The Board Members asked Mr. Trezza if perhaps he could change the dimensions of his house to gain at least two feet next to the home but still retain a driveway on the other side.

Mrs. Ida Hood, 161 Beachfront, invited Mr. Trezza to come look at her home with the garage under the house to see an alternative to the plans he was submitting for approval. She felt that although the lot was very narrow, there were answers to the problem rather than having a zero sideyard setback.

The Board Members asked Mr. Trezza to consider the alternatives and then come back to the next meeting with the new plans. A motion was made to continue the hearing at the January 20, 1988 meeting by Evelyn Wagner, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

A member of the audience asked if there could be copies of the minutes of the previous meeting available to the audience to follow the hearings more easily.

The Board Members discussed the Avon Hotel Corp. project. Mr. King turned the gavel over to James Van Schoick for this discussion. William Farrell, Borough Engineer, advised the Board not to sign the final plat plan until certain things

that he listed in his letter had been completed. The Board will review the final plat plan with the plans that are on file in the Construction Code Office.

There being no further business, a motion was made to adjourn the meeting by James Mastrian, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Respectfully submitted,

Margaret Monsell

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
NOVEMBER 18, 1987
BOROUGH HALL, MANASQUAN, N.J.

The Chairman of the Board, C. Raymond King, called the Special Meeting to order at 7:00 p.m. for an executive session for the purpose of interviewing candidates for the position of Attorney to the Board of Adjustment. Following a salute to the flag, it was determined that a quorum was present. Board Members present were C. Raymond King, Leonard Sullivan, Samuel Yatter, James Mastrian. Absent: Kenneth Schneider, Robert Griffith, James Van Schoick, Patricia Walsh, Evelyn Wagner.

Leonard Sullivan made a motion to close the Special Meeting to meet in an Executive Session seconded by James Mastrian. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Leonard Sullivan, Samuel Yatter, James Mastrian. "No" none.

The Board met in Executive Session in the Clerk's office and at that time Board Members Kenneth Schneider and Patricia Walsh joined the meeting. The Board interviewed Attorney William Byrne for the position of Attorney to the Board of Adjustment. Mr. Byrne was advised that the Board would make a decision at the December Meeting. Since the other two candidates were unable to come to the interviews, the Executive Session was closed and the Board returned to Council Chambers. At that time Leonard Sullivan made a motion to close the Special Meeting seconded by James Mastrian. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

At 8:00 p.m. Chairman, C. Raymond King called the Regular Meeting to order. Roll Call: Board Members present, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. Absent: Robert Griffith, Evelyn Wagner, James Van Schoick.

The Chairman noted that a quorum was present and asked for a salute to the flag. Mr. King announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Leonard Sullivan made a motion that the minutes of the previous meeting be approved as submitted seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
SPECIAL MEETING
DECEMBER 16, 1987
BOROUGH HALL, MANASQUAN, N.J.

Mr. C. Raymond King, Chairman, called the meeting to order at 7:00 p.m. It was determined that a quorum was present and Mr. King asked for the salute to the flag.

Roll was called and Board Members present were as follows: Present : Robert Griffith, C. Raymond King, Kenneth Schneider, Evelyn Wagner, Samuel Yatter, James Mastrian, James Van Schoick. Absent: Leonard Sullivan, Patricia Walsh.

Mr. King stated that the meeting was being held in accordance with the Open Public Meetings Act of 1975 and had been published in the Coast Star and the Asbury Park Press.

A motion was made by James Mastrian to close the Special Meeting to go into Executive Session for interviews of applicants for the position of Attorney to the Board of Adjustment. The motion was seconded by Robert Griffith and carried by the following vote: "Yes" Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Three applicants were interviewed and after the interviews were completed, the Board reviewed the applicants and their qualifications. The Members decided they favored two of the applicants and would like to see them one more time before making their decision. This would enable the members that had been absent during the two interview sessions to meet the two candidates and then make a decision by the next meeting, January 20, 1988.

The Board Secretary was asked to contact the two candidates and arrange to have them meet the Board at 7:30 p.m. on January 20th at a Special Meeting. The Secretary was also instructed to advertise a Special Meeting.

There being no further discussion, a motion was made to reopen the Special Meeting by James Mastrian and seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

A motion was made to close the Special Meeting by Evelyn Wagner, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian. "No" none.

Respectfully submitted

Margaret Monsell
Secretary

Resolution 21-87 - Jean Certosimo - 400 Euclid Avenue

Attorney Ragan read the Resolution. Kenneth Schneider made a motion to approve the Resolution, seconded by James Mastrian. Motion was carried by the following vote: "Yes" C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

The Chairman read a letter from H. Alton Neff, representing Alan Steiner and Bianca Franchi, asking to have the continued hearing on their application postponed to the December 16, 1987 meeting.

Leonard Sullivan made the motion to postpone the hearing seconded by Kenneth Schneider. Motion carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Application 22-87 (Cont.) - Donald & Ann Jaspan - 91 Main Street

Mr. Robert Levy represented Mr. Jaspan. The Board Attorney marked the plans submitted by Mr. Jaspan for the file. The Chairman asked Mr. Levy if he had any objections to continuing the hearing since there were only four regular members of the Board Present. The other members would have the tapes available to them however. Mr. Levy had no objection to this. The Chairman asked for comments regarding the application by the Board Members after having done the site inspection. The Board Members reviewed the new plans submitted by Mr. Jaspan with Mr. Levy and Mr. Jaspan.

Mr. Mastrian advised the Board that he had trouble with hearing this application as a hardship case. He felt that this should be a use variance, in that, they were increasing the number of dwelling units where zoning called for one unit only.

The Attorneys and the Board Members discussed this issue and it was finally agreed upon that this was a use variance with hardship being the thrust of the application because of the size of the building and the lack of ability to use it otherwise.

Mr. Mastrian advised the Board that he was concerned with the amount of people that could live in these apartments according to the occupancy code. He felt that the environment in this neighborhood was dangerous for children and there was no play area or storage area for bicycles etc. provided for them. He advised that the apartments as presented could house 28 people legally and he had a problem with that. He asked Mr. Jaspan if he would be willing to change the apartments to one bedroom apartments to cut down on the density. He also asked Mr. Jaspan if he would be willing to improve the exterior of the building.

Mr. Oscar Olsen, 222 Main Street questioned whether any provisions had been made for a sprinkler system to be installed. The State Fire Code would require this to be done if they build these apartments.

Samuel Yatter, 111 Main Street, testified as to previous uses of this building during the past 60 years.

Leonard Sullivan asked that the new Ordinance regarding parking be reviewed as it relates to this application. The Board Secretary provided the Board with a copy of the Ordinance.

Mrs. Walsh advised that she had a problem with the fact that 15 spaces were needed for this plan when there are no provisions at all for parking on the property.

Robert Gardell, 40 Fletcher Avenue, commented that he agreed with Mr. Mastrian that this building needed some aesthetic changes to the exterior to be more of an asset to Manasquan. Since these apartments would generate a lot of income for Mr. Jaspan, Mr. Gardell felt that he should be willing to improve the look of the building if he were granted the variance. This would be a means of "giving something back to the town". Mr. Gardell asked if the variance were approved would the assessment of taxes be greater and would they have separate water and sewer bills for these apartments? The Board advised Mr. Gardell that the building would be reassessed for taxes and there would be separate water and sewer bills for each apartment.

The Chairman of the Board asked Mr. Levy if he wanted to wait until the next meeting for the Board to vote on the application since there were only four members present. The tapes of the meeting would be available to the other members of the Board in preparation for the next meeting. Mr. Levy and Mr. Jaspan opted to wait until the next meeting for the vote on the application when seven members will vote. Mr. Levy asked that the evidence that had been presented regarding parking in the area of the building at the previous meeting be re-entered into evidence, in that, they had been made aware of the Ordinance changing the parking waiver. Mr. Ragan agreed to this procedure. Mr. Mastrian asked if Mr. Jaspan would be willing to change the apartments to one bedroom apartments Mr. Levy advised that they would let them know at the next meeting. Mr. Ragan asked Mr. Levy if they would waive the statutory time limits on the application. Mr. Levy agreed to do this.

A motion was made by Leonard Sullivan to continue the hearing at the December 16th, 1987 meeting, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, Patricia Walsh. "No" James Mastrian.

Application 23-87 (Cont.) - Gary Smith - 42½ North Main Street

Mr. & Mrs. Smith were present and still under oath. A site inspection had been held October 24, 1987 at 9:30 a.m. The Board discussed the application and the audience was asked for comments. A motion was made to close the public hearing by Kenneth Schneider and seconded by Leonard Sullivan. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Kenneth Schneider offered a motion to draw up a favorable resolution seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, Patricia Walsh. "No" James Mastrian.

Application 26-87 - Walter Carlson - 199 Third Avenue

Mrs. Walsh abstained from hearing this application because she been served notice of the hearing. Attorney John Wooley represented the applicant. Mr. Ragan marked the exhibits for the file. The applicant, Mr. Walter Carlson was called to testify and was sworn in by Mr. Ragan. Mr. Carlson explained the problem with the elevation of his home that he contracted to build in November of 1986. Mr. Carlson had not been involved with the project himself. When the house was completed, he applied for a C O and then found that it was 5 inches lower than the required elevation, In actuality, the difference was only 3 inches.

Mr. Albert Ratz was asked to testify and was sworn in by Mr. Ragan. Mr. Ratz testified that he issued the building permit and there were no problems with zoning. When he did the inspection to issue the C O it came to light that the building elevation was .3 of a foot too low. Mr. Ratz testified that the other dwellings in the area are all lower than Mr. Carlson's dwelling. Mr. Carlson and the Board discussed the problems in having this error corrected. The House would have to be lifted up and have four inch cap locks inserted. However, Mr. Carlson advised the Board that this would probably crack all the walls and he would have a great deal of damage result in the interior structure. This would also be a great expense to Mr. Carlson and in all likelihood he would be the one to pay for this rather than the builder. Mr. Ratz advised that there would really be no real hazard here, but that he had been doing his job of inspection and discovered the error.

Kenneth Schneider made a motion to close the public hearing seconded by Leonard Sullivan. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

A motion was made to draw up a favorable resolution by Kenneth Schneider, seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter. "No" James Mastrian. Abstain: Patricia Walsh.

Application 27-87 - Richard Mueller - 79, 81, 83 Beachfront

Attorney Ragan marked the exhibits for the file and administered the oath to the applicant, Mr. Richard Mueller, Jr., 1312 West Chicago Blvd., Sea Girt.

Mr. Mueller was asked to explain his plans to build sun decks on the three bungalows that are on the north side of his property. They will be 16 feet square and the would be at the level of the first floor of the houses.

A motion was made to do a site inspection on November 21st, 1987 and continue the hearing at the December 16, 1987 meeting by Kenneth Schneider and seconded by James Mastrian. Motion was carried by the following vote: "Yes" C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

The Chairman read a letter from Kenneth J. Fortier, requesting a Special Meeting to hear the application of Joseph Sullivan, 25 Captain's Court. The Board discussed the request but since there was no specific reason for the meeting stated in the letter, they decided there would be no purpose in holding the meeting unless the applicant could present some unusual circumstances or unusual hardship as a reason for a Special Meeting.

The Chairman reported to the Board that the Mayor and Council had settled with Karen Benson, the former Board Secretary, on the salary to paid to her for her services.

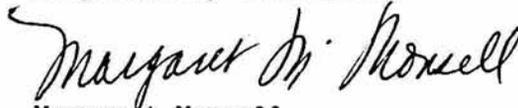
The Board discussed the matter of hiring an attorney to the Board. It was decided that another add would be placed in the newspaper and Mr. Stein, who was unable to attend the interview this evening would be interviewed at the next meeting.

A motion was made by Patricia Walsh, and seconded by Mr. Sullivan to hold a Special Meeting December 16, 1987 at 7:00 p.m. to interview any new candidates for the position. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Mr. King asked the Board Members to give some thought to having the Planning Board take over the duties of the Board of Adjustment. He asked that they give serious thought to combining the Boards since many cases overlap.

A motion was made to adjourn the meeting by James Mastrian seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Respectfully submitted,

A handwritten signature in cursive script that reads "Margaret M. Monsell". The signature is written in dark ink and is positioned above the printed name and title.

Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
OCTOBER 21, 1987
BOROUGH HALL, MANASQUAN, N.J.

The Chairman of the Board, C. Raymond King called the meeting to order at 8:00 p.m. and following the salute to the flag, it was determined that a quorum was in attendance. Board Members present were Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Absent: James Van Schoick.

Mr. King stated that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Asbury park Press and the Coast Star. The Chairman requested approval of the minutes of the previous meeting September 16, 1987. Robert Griffith requested that a correction be made on page four of the minutes in regard to the Avon Hotel Corporation discussion. The correction was noted by the Secretary. Evelyn Wagner made a motion that the minutes be approved as corrected, seconded by James Mastrian. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Abstain: Leonard Sullivan. "No" none.

Resolution 19-87 - Gloria and Raymond Mosher - 289 Beachfront

Attorney Ragan read the resolution. There being no discussion on the Resolution, Samuel Yatter made a motion to approve the Resolution, seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" Robert Griffith.

Resolution and Memorialization 20-87 - Thomas & Marguerite Griffiths - 52 First Ave.

Attorney Ragan read the Resolution and Memorialization. There being no discussion regarding the resolution, Evelyn Wagner made a motion to approve the Resolution seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Abstain: Kenneth Schneider. "No" none.

Application 24-87(Cont.) Dr. Allan Steiner/Bianca Franchi - 27 Beachfront

Chairman C. Raymond King read a letter from Attorney H. Alton Neff, representing Dr. Steiner and Ms. Franchi asking for a portponement of their hearing until the November 18th, 1987 meeting. Dr. Steiner and Ms. Franchi agreed to waive any time limitations on the matter. Evelyn Wagner made a motion to continue this application at the November meeting seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James mastrian, and Patricia Walsh. "No" none.

Application 21-37 (Cont.) - Jean Certosimo - 400 Euclid Avenue

A site inspection had been done on October 24, 1987 at 9:00 a.m. Since there were no objections to the application by the Board or the audience, a motion was made by Evelyn Wagner to close the hearing. The motion was seconded by Kenneth Schneider and approved by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

A motion was offered to draw up a favorable Resolution to approve the plans as submitted by James Mastrian seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Application 25-87 (Cont.) - Chicant Corporation - 165 Beachfront

The Board Members reviewed the letters and new evidence that had been received prior to the meeting Attorney Kevin Thomas represented Chicant Corporation and the project Engineer, Ray Carpenter was present. Attorney Peter Ragan marked the evidence and letters for the file.

Attorney Thomas objected to the letter from the Construction Code Official, Sandy Ratz since the intention of the Board and the applicants at the last meeting was to postpone the hearing until Mr. Ratz could be present to answer questions and comment on the obvious dispute regarding the flood zone the dwelling is located in. Since this is the thrust of the problem, without Mr. Ratz present, there could be no decision on this matter.

After a discussion of the problem of the absence of Mr. Ratz, a motion was made to recess the meeting in order to contact Mr. Ratz to set up a special time to meet with him and the applicant to continue the hearing by Evelyn Wagner. The motion was seconded by Samuel Yatter and carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

After the Chairman, Mr. King, reached Mr. Ratz by phone, the meeting was reconvened. Roll Call: Present: Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Absent: None.

Chairman, C. Raymond King informed the Board Members and the applicants that Mr. Ratz would be available for the meeting of November 18th at 9:00 or 9:15 p.m. Attorney Thomas agreed to continue the hearing at that time and that he agreed to accept the information in the letter from the Borough Engineer, William Farrell without his being present. He would address the matter with the proper authorities before the next meeting.

Mr. Noel Hood presented evidence to be put into the record for the next hearing since he would be out of the country during this time.

A motion was made to continue the public hearing at the November 18th meeting by Evelyn Wagner seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh.

Application 22-87 - Donald & Ann Jaspán - 91 Main Street

Attorney Robert Levy and Donald Jaspán were sworn in by Attorney Ragan. The file

was marked for the record. Samuel Yatter abstained from participating in the hearing since his property is in close proximity to the Jaspan store.

Attorney Levy asked Mr. Jaspan to explain the location of his property, the zone, and to give a description of his property and his plans for improvement. Four photographs were presented for evidence. Mr. Jaspan was asking the Board to approve six apartments on the second and third floor of his building apart from his business operation. At the present time there is a one family apartment above the store itself. A rough draft of the plans was submitted to the Board. Mr. Jaspan gave a description of his plans for the apartments on the second and the third floor. Mr. Jaspan stated that he could not use this space for his business and he does not presently use it nor does he have any need for it. Mr. Jaspan also requests a wiaver from the Ordinance that requires off street parking. Mr. Jaspan described the parking that is available to his building. He also explained his expectations regarding the potential tenants that would occupy these apartments. The applicant explained that he had also established by research the need for apartments in Manasquan. Attorney Levy established that Mr. Jaspan is required to pay taxes on the whole building and his expenses for insurance etc. cover the whole building even though much of the space is not being used and other buildings in town have similar units in them.

Samuel Yatter asked to make a statement and was sworn in by Attorney Ragan. Chairman King asked Mr. Yatter to wait until the end of the application to make his statement and Mr. Yatter agreed.

William White, owner of the building next to Jaspan Hardware, asked if there were any plans to renovate the exterior of the building. Mr. Jaspan answered there were none at this time.

Beatrice Kissner, 1217 Ocean Avenue, Bradley Beach was sworn in to give testimony. Mrs. Kissner was a real estate broker and sales representative. Mrs. Kissner gave testimony regarding the need for apartments such as the ones the applicant was proposing and also the area parking availability. Mrs. Kissner also testified regarding the type of people who might be interested in renting the apartments.

The Chairman, Mr. King, requested that Mr. Jaspan submit plans that were more explicit regarding the apartments. The plans presently submitted to the Board do not adequately show the layout of the apartments.

Attorney Levy made a statement regarding the reason for this application. Mr. Levy explained that approximately 4000 square feet of the building cannot be utilized in any way as a consequence of the present zoning ordinance. He submitted to the Board that there is a hardship, in that, all of the expenditures and the responsibility are the owner's without being able to use any of it. He stated that the zoning Ordinance, within its thrust and intent, provides for residential units in this zone. The Ordinance provides for one unit, but there is no explanation why two or three or more could not be used so long as every other aspect of the law and the building code can be met. Mr. Levy explained that this building is existent and at one time was used as a muti-family building therefore the Ordinance which was designed to control new construction or converted construction should not apply to this building. This presents a financial and responsibility hardship for Mr. Jaspan.

Board Member Mastrian questioned the type of application submitted and whether financial hardship was acceptable. Attorney Levy explained that this was a hardship application with financial hardship a part of the problem and they were asking for a waiver from the parking restrictions.

Board Member Kenneth Schneider made a motion to continue the hearing at the November 18th, 1987 meeting and to do a site inspection on October 24, 1987 at 9:00 a.m. Motion was seconded by Robert Griffith and carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, James Mastrian, Patricia Walsh. "No" none. Abstain: Samuel Yatter.

Application 23-87 - Gary Smith - 42½ North Main Street

Attorney Ragan marked the exhibits for the file and administered the oath to Gary Smith and Susan Smith residing at 42 North Main Street, Manasquan. Mr. Smith explained his plans submitted with the application. He wanted to convert a 3½ car garage that already has heat and a bathroom in it to an efficiency apartment. The garage has an apartment above it now. It was used as some sort of machine shop ages ago. Mr. & Mrs. Smith purchased the property about three years ago. He also would like to use part of it for an office.

The Board reviewed the plans with Mr. Smith and there being no questions from the audience, a motion was made by Evelyn Wagner to do a site inspection at 9:30 a.m. Saturday, October 24, 1987 and continue the hearing at the November 18, 1987 meeting. Motion was seconded by Leonard Sullivan and carried by the following vote: Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Chairman King reviewed the letter sent to the board by the Building Inspector requesting a clarification of the variance approved by the Board for S. Kaminiski, 123 Atlantic Avenue. The Board agreed that the applicant was expected to build the structure in accordance with the drawings that were submitted at the hearing. The Secretary of the Board was instructed to send a letter to the Building Inspector stating the expectations of the Board.

Evelyn Wagner made a motion to approve the conclusions of the Board and the letter to be sent to the Building Inspector seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh.

The Chairman read letters from William J. Lawless and Harry A. MacEnroe regarding being given an earlier agenda date than they have been assigned. The Board advised the secretary to notify these applicants that the agenda is full, however if they desire a special meeting this would be possible if they are willing to absorb the cost of the meeting.

Mr. King advised the Board that they had three applications in for the position of Attorney to the Board of Adjustment. He asked if they wanted to start the interviews. It was decided that interviews would be held before the next meeting at 7:00 p.m. This meeting would be advertised. The meeting will be opened and then they will close the meeting to retire to executive session to discuss personnel. Evelyn Wagner made a motion to approve the above procedure seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board

Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Mr. King made assignment for applications that have been approved.

15-87	James & Mary Ann Monaghan	---	Mr. Mastrian
16-87	Mr. Hoppenstedt	---	Mr. Schneider
17-87	John Stemmerman	---	Mrs. Wagner
19-87	Raymond & Gloria Mosher	---	Mrs. Walsh
20-87	Thomas & Marguerite Griffiths	--	Mr. Sullivan

A motion was made to adjourn the meeting by Evelyn Wagner seconded by Patricia Walsh. Motion was carried by the following vote: Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, Leonard Sullivan, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Respectfully submitted,


Margaret Monsell
Secretary

10/4/87 Corrected

because the Building Inspector was not present at the meeting to interpret his decision. She felt this was an unfair practice and costly to the citizens of Manasquan.

Mr. Mastrian explained that Mr. Chicant had been notified of this problem a long time ago and nothing had been done until this meeting.

Attorney Thomas suggested that the hearing be continued at the October Meeting of the Board with a request that Mr. Ratz be present to define his action.

The Members agreed to do a site inspection, Saturday, September 19, 1987, and continue the hearing at the October meeting. A motion was made to this effect by Evelyn Wagner, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

The Members agreed that they would request that Mr. Ratz and Mr. Farrell appear at the next meeting.

C. Raymond King, the Chairman, turned the meeting over to James Van Schoick to discuss the Avon Hotel Corporation project.

Mr. Van Schoick reported that he and Mr. Griffith had met to discuss the plans of the Avon Hotel Corporation project and they felt they had not come up with enough evidence in the plans filed with the Building Inspector to form a case. The plans in the Bd. of Adjustment files were different from the ones in the Building Department. The tapes of the previous hearings of this case were also reviewed.

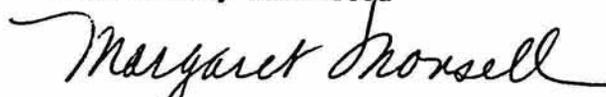
There was discussion about the legality of copying tapes of previous meetings and also meeting as a group in a Board Member's home. Attorney Genz advised the members of the Board that most public records are available for copying. However, if a quorum of members meet, this is considered a public meeting and should be published according to the Sunshine Law.

The Board Members discussed the controversy over the Avon Hotel Corporation project and it was generally felt that the Resolution that had been drawn up for the project had not been adequate though not specifically the fault of the applicant, the Board Members or the Building Inspector. In the future they would have to be more definitive in the Resolution and have the plans that were presented at the hearing attached and part of the Resolution.

James Mastrian stated that since there was very little the Board could do to correct this situation except to learn to be more specific in the future, he would offer a motion that the Board should divest themselves of any more discussion of the Avon Hotel Corporation project. The motion was seconded by Evelyn Wagner. The motion was defeated by the following vote: "Yes" Board Members Evelyn Wagner, James Mastrian, Samuel Yatter. "No" Robert Griffith, Kenneth Schneider, James Van Schoick, Patricia Walsh. Abstain: C. Raymond King.

James Mastrian made a motion that the meeting be adjourned, seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, James Mastrian, Samuel Yatter, Patricia Walsh.

Respectfully submitted



Margaret Monsell, Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
SEPTEMBER 16, 1987
BOROUGH HALL, MANASQUAN, N.J.

The Chairman, C. Raymond King, called the meeting to order at 8:00 p.m. and following the salute to the flag it was determined that a quorum was in attendance. Board Members present were Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Absent: Leonard Sullivan. Attorney Edward A. Genz served as the Board Attorney in the absence of Peter Ragan Esq.

Mr. King stated that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Asbury Park Press and the Coast Star. The Chairman requested approval of the minutes of the previous meeting, August 19, 1987. Motion was offered for approval of the minutes by Evelyn Wagner seconded by Patricia Walsh. The motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Abstain: Kenneth Schneider. "No" none.

Resolution - 15-87 - James and Mary Ann Monaghan - 9 Lockwood Avenue
Attorney Genz read the resolution. James Van Schoick offered a motion to approve the Resolution. The motion was seconded by Samuel Yatter and carried by the following vote: "Yes" Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Resolution and Memorialization - 17-87 - John Stemmerman - 310 Cedar Avenue
The Resolution and Memorialization was read by Attorney Genz. Robert Griffith made a motion to approve the Resolution and Memorialization and the motion was seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, Patricia Walsh. "No" none.

Resolution - 18-87 - Thomas Haring - 285 Beachfront
Attorney Genz read the Resolution. James Mastrian made a motion to approve the Resolution. The motion was seconded by Evelyn Wagner and carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Application 19-87 (Cont.) - Gloria & Raymond Mosher - 289 Beachfront

A site inspection had been done on August 22, 1987 at 9:00 a.m. Mr. Mosher presented the Board with the survey of the property as he had been requested to do at the last meeting. It was marked A7 in the file. Mr. Mosher assured the Board that this expansion was for his personal use. Board Member James Mastrian advised the Board that he had no objections to the expansion, however, he would like to have included in the Resolution the restriction that the basement of this home could never be converted into a separate dwelling unit. James Van Schoick made a motion to close the Public Hearing seconded by Samuel Yatter. The motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian and Patricia Walsh. "No" none.

James Mastrian made a motion to draw up a favorable Resolution with the restriction that the basement of the home could not be converted into a separate dwelling unit at any time in the future be included in the Resolution. James Van Schoick seconded the motion and the motion was carried by the following vote: "Yes" C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" Robert Griffith.

Application 20-87 (Cont.) - Thomas & Marguerite Griffiths - 52 First Avenue

A site inspection had been done on August 22, 1987 at 9:30 a.m. Evelyn Wagner commented that the house had been restored beautifully and since there were no comments from the audience, made a motion to close the Public Hearing. The motion was seconded by James Mastrian and carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none. Abstain: Kenneth Schneider

The Chairman advised the Board that there had been a request that this Resolution be Memorialized. Evelyn Wagner made a motion that a favorable Resolution and Memorialization be drawn up seconded by Samuel Yatter. The motion was carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none. Abstain: Kenneth Schneider.

Application 24-87 (Cont.) - Allan & Elaine Steiner/Bianca Franchi - 27 Beachfront

A site inspection had been done on August 22, 1987 at 10:00 a.m. Dr. Steiner presented the Board with an additional drawing as they had requested showing elevation. The Attorney marked the drawing A9 in the file. James Mastrian commented on the amount of work done on the house and perhaps the need to put this house on pilings. The Chairman was concerned with the fact that there is no plan on file in the Construction Code office. Mr. Mastrian was concerned with the fact that this was a major renovation and before he could vote on this application, he wanted to be sure that there was no need to put the house on pilings. Mr. Yatter expressed his disapproval of the plans. The Board generally felt that they would like to check out the percentage of restoration and asked Dr. Steiner to waive the time limit involved with this application. Dr. Steiner waived the time limit although he expressed his objections to the interpretation by the Board. Since he had been given a building permit and no structural changes were done and that they had been put through a great deal of inconvenience because of a mistake in the building permit he felt this delay was really unreasonable. Ms. Franchi felt that if they had known

this when they had started the renovation, their plans would have been different and they had already gone through a great deal of expense to satisfy the requirements of the Building Inspector. What they had done had been based on the advice of the Inspector and now they will perhaps face another huge expense they were not expecting. The Chairman advised them however, that the Board could not grant a variance on something that might be illegal. Evelyn Wagner made a motion to continue the hearing at the next meeting. The motion was seconded by James Van Schoick and carried by the following vote: "Yes" Board Members Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Application 21-37 - Jean Certosimo - 400 Euclid Avenue

The Acting Board Attorney administered the oath to Jean Certosimo residing at 400 Euclid Avenue. The Attorney marked the Board file. Mrs. Certosimo explained to the Board her plans to enlarge her porch and the Board reviewed the plans with Mrs. Certosimo. James Van Schoick made a motion to do a site inspection on September 19, 1987 at 9:00 a.m. and continue the hearing at the next meeting, October 21, 1987. Kenneth Schneider seconded the motion and the motion was carried by the following vote: "Yes" Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. "No" none.

Application 25-87 - Chicant Corporation - 165 Beachfront

Attorney Kevin Thomas represented Chicant Corporation. Attorney Genz marked the Board File A1 - A5. Attorney Thomas presented the Board with copies of the prior Resolution of March 19, 1986 which was marked A6. He also provided copies of the plot plan for the Board and this was marked A7 for the file. Attorney Thomas made an opening statement regarding the purpose of the application before the Board and asked the Board to make a decision whether or not the house in question had to be put on pilings. Attorney Thomas contended that the house is really not in a V Zone and even if it was in a V Zone the Ordinance calls for a house to be put on pilings if it is new construction or if the improvement itself exceeds or equals 50% of the market value of the structure either before the improvement or after the repair. Included in the file was a contract for the renovation of the property for \$84,000.00 which Attorney Thomas contended was much less than 50% of the market value of this property in question. Attorney Thomas presented Ray Carpenter a licensed professional engineer and a licensed planner in the State of New Jersey, as a witness. Mr. Carpenter was sworn in by the Board Attorney. Mr. Carpenter testified regarding the state of the building before the renovations, explained the renovations that were done and testified that the building was structurally sound. He also testified that the foundation was structurally sound and had certified that in a letter to the building inspector dated 12/15/86. This letter was marked A8 for the file. Mr. Carpenter testified that this particular property was in an A5 flood zone, not in a V zone, and in this zone pilings are not required. Mr. Carpenter testified that his determination had been based on a Flood Insurance Rate Map produced by the Federal Emergency Management Agency dated December 15, 1983 to his knowledge the most recent map available.

Mr. Carpenter testified that this property filled the requirements for an A5 zone. The Flood Map was marked A9 for the file. Mr. Carpenter also testified as to the extent of the renovations that were done on the building and that he had supervised the renovations. John Leonard was the contractor. He also testified that the renovations were done according to the plans that were submitted to the building inspector. Mr. Carpenter stated that he felt that the building such as it is now, does not compromise the Zoning Ordinance of Manasquan, and the variance could be granted by the Zoning Board without detriment to the public good, or to the Zoning plan of Manasquan.

The Board Members questioned Mr. Carpenter and Attorney Thomas regarding their testimony. Attorney Thomas explained that the issue before the Board was that the Building Inspector had decided that 50% renovation had been exceeded and therefore the building had to be put on pilings. Members of the Board felt that Mr. Ratz should be given an opportunity to explain his decision. The Board and Attorney Thomas agreed that they would like to have the Borough Engineer and the Building Inspector attend the next meeting to discuss this problem and the reasons for the Building Inspector's decision.

The Chairman asked for any comments from the audience.

Noel Hood, 161 Beachfront, had some questions regarding the project.

Craig Grant, Sunrise Drive, Gillette, asked to have the V6 Flood Zone defined. He was advised to look at the Flood Map that had been made a part of the file to see the zones as drawn on the map. He also asked for a definition of the requirements for having to put a house on pilings.

Noel Hood, an objector to the application, was sworn in to give testimony. He presented pictures of the house before and after the renovations were done. The pictures were marked for the file 01. He stated his concerns with the supports under the building and also with the extent of the renovations.

Patricia Terry, 57 Osborn Avenue, questioned the credibility of Mr. Hood's testimony, since he was quoting what Mr. Ratz, the Building Inspector, said or thought which could be termed hearsay.

The Chairman advised Ms. Terry that Mr. Hood had the right to object to the application.

Oscar Olsen, 222 E. Main Street, asked for a definition of a breakaway wall. Mr. Carpenter explained that the wall was designed to be washed away or collapse upon impact of waves or water. It's not a structural wall, in most cases it's merely cosmetic or aesthetic.

August Possehl, 165 First Avenue, asked the purpose of the wall. Mr. Carpenter explained there were various reasons for the wall. One was security, another to insulate the under side of the building, and the third aesthetics.

Judy Delaney, 33 Fisk Street, expressed her discontent with the fact that the Building Inspector was not present at the meeting to resolve the problem and a great deal of money had been wasted in preparing for the hearing by the applicant. As a citizen, she felt that most people could not afford to hire an attorney and an engineer to appear at a hearing and then have it postponed

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
AUGUST 19, 1987
BOROUGH HALL, MANASQUAN, N.J.

The Chairman called the meeting to order at 8:00 p.m. and following the salute to the flag it was determined that a quorum was in attendance. Board Members present: Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Alt. Walsh. Absent: Alt. Mastrian, Schneider. Peter Ragan, Board Attorney present.

Mr. King noted that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Asbury Park Press and the Coast Star. The Chairman requested approval of the minutes, but noted that in the minutes of the Meeting on July 15, 1987 there should be a correction in the vote on the Avon Hotel Corp. motion on the last page. Mr. King had abstained from voting. The minutes being duly corrected, a motion was offered for approval by Leonard Sullivan seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Resolution 16-87 - Elbert Hoppenstedt - 39 Beachfront

Mr. Peter Ragan, Board Attorney read the resolution and memorialization and a motion was offered to approve the resolution by James Van Schoick. The motion was seconded by Leonard Sullivan and carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Application 15-87 (Cont.) - James & Mary Ann Monaghan - 9 Lockwood Avenue
A site inspection had been made on June 20, 1987 of the subject's property and no objections were found to the application. A motion was made to close the hearing by Evelyn Wagner seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

A motion was offered to draw a favorable resolution by Evelyn Wagner, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Mr. Monaghan asked that the Resolution be memorialized. However, Mr. Monaghan was advised that he would have the Resolution within the time frame that he would be ready to start work and there was no need to memorialize the resolution.

Application 17-87 (Cont.) - John Stemmerman - 310 Cedar Avenue

A site inspection had been made of the applicant's property on July 18, 1987 at 9:00 a.m., and no objections were found to the application. A motion was made to close the public hearing by Evelyn Wagner, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Evelyn Wagner made a motion to draw a favorable resolution seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

The builder, Tony Auth, asked if the Resolution could be memorialized. Mrs. Wagner amended the motion for memorialization, seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Application 18-87 (Cont.) - Thomas Haring - 285 Beachfront

A site inspection had been done on July 18, 1987 at 9:30 a.m. Samuel Yatter commented that although the height of the building would be in line with the other buildings in the neighborhood, he would not be in favor of the application because of the density in that area. He also felt that the plans that were submitted were not very complete.

The Board Attorney asked the applicant to state for the record what were the reasons he felt the Board should grant the variance. Mr. Haring stated that his reasons were that he was providing a home for their family that was similar to the homes in the area. In essence, he felt that he should be allowed to construct this building since he is surrounded by similar structures. Mr. Haring felt that this would also beautify the neighborhood by changing a garage into a home.

A member of the audience asked if the applicant was asking for a use variance or a hardship variance. Mr. Haring is applying for a use variance.

Members of the audience from Mr. Haring's neighborhood again expressed their objections to the application with the exception of Mr. Mosher who was in favor of the application. Mr. Haring replied to the objections stating his reasons for the addition.

There being no further comments from the audience, a motion was offered to close the hearing by James Van Schoick seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

The Board Members discussed the application and Evelyn Wagner made a motion to deny the application seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Application 19-87 - Gloria & Raymond Mosher - 289 Beachfront

The Board Attorney administered the Oath to Gloria and Raymond Mosher residing at 289 Beachfront. The Board Attorney marked the file. Mr. Mosher presented his plans to extend a bedroom out over the existing deck and then add on an eight foot deck, since the bedroom that he would like to enlarge is only 8 feet by 8 feet. In the front of the house he would like to enclose the

front porch and enlarge the living room by taking out the existing wall and making this all one room. Beyond this they would like to construct a 6 foot deck. However, this would all be within the confines of the existing house, the only extension will be the 6 foot deck in the front and the 8 foot deck in the back. These decks will not go beyond any of the other houses surrounding them. The house is only one level and they are not adding anything, just enlarging the two rooms to make them more livable. The land is leased land. The house is winterized and they live there year round.

Mr. Griffith requested that Mr. Mosher give them the survey to look at. Mrs. Walsh requested that Mr. Mosher stake out the property and he agreed to do this. The Board requested that Mr. Mosher bring the survey to the next meeting.

A motion was made to do a site inspection on Saturday, August 22, 1987, 9:00 a.m. and continue the hearing at the next meeting, September 16, 1987 by Evelyn Wagner, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Application 20-87 - T.S. & Marguerite Griffiths - 52 First Avenue

The Board Attorney administered the oath to Marguerite Griffith, 52 No. First Avenue, and Thomas S. Griffiths, 52 No. First Avenue, Manasquan. The oath was also administered to John Gassner, of Gassner and Lohnes Inc. Remodeling Company in town. The Board Attorney marked the file.

Mr. Griffiths explained that he would like to rebuild a rear porch and enclose 2/3 of it to give them more room in their kitchen. They are completely remodeling the home, which was built in 1908, keeping the home exactly as it is, but this addition to the kitchen is very important and the porch is severely rotted and needs to be rebuilt. They are planning to live in the house in the future. This is owned land.

The Board Members questioned Mr. Griffiths and Mr. Gassner regarding the plans, after which, the audience was asked to comment.

Robert Zanes, 104 Ocean Avenue, commented that this was an example of the type renovation that people would like to see at the beach. They live in the house, they are renovating it totally, but yet not expanding the living area. He felt that this was a credit to Manasquan and an asset to the neighborhood.

Jack Sullivan, 22 Second Avenue, seconded Mr. Zanes opinion regarding this project.

A motion was offered by James Van Schoick to continue the application at the next regular meeting and do a site inspection at 9:30 a.m. Saturday, August 22, 1987. The motion was seconded by Patricia Walsh and carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

Application 24-87 - Allan & Elaine Steiner and Bianca Franchi - 27 Beachfront

The Board Attorney administered the oath to Allan Steiner, 2 Wooded Acres Lane, Morristown, N.J., and Bianchà Franchi, 16 Fords Road, Randolph, N.J. The Board Attorney marked the file.

Dr. Steiner explained the plans regarding creating a second floor above the first floor by raising the roof on the already existing second story sleeping area, allowing full head clearance to convert this into a full size bedroom. They also wanted to expand the existing dining area out four feet by nine feet, ten inches over the existing eight foot by 18 foot street side deck to allow for a normal size dining area. Dr. Steiner presented pictures of the house before and during renovation and answered the questions the Board Members had regarding the plans. Dr. Steiner and Ms. Franchi assured the Board that they would be living in this house and it would not be a rental property.

There was discussion on the confusion regarding the work that had been done prior to this application. There was no expansion of the basic structure. Dr. Steiner explained that he had to change builders because of problems with the one that started the project.

The Chairman asked for comments from the audience. Neighbors to the right and left of the property in question registered complaints regarding the construction practices of throwing debris on their property, working until late hours, delivery trucks causing damage, broken windows in their properties etc. In general the neighbors felt that this had been a very "stressful" time they had been through. Dr. Steiner advised them that this was the reason that he had had to change builders. Other residents in the area registered their apprehension over the height of the building and the fact that it would block the sun from the other houses. They were also apprehensive of this property becoming a rental property if it should be sold. Dr. Steiner admitted that what these people were saying about the builders was indeed true, but he had done his best to stop the practices and told everyone that whatever damage was done he would pay to have repaired. He apologized for the inconvenience and assured the neighbors that he intended to live there.

Robert Zanes urged the Board to thoroughly consider the height factor. He felt that it will be substantially higher than the other houses in the immediate area. He complimented the Board in "hanging tough" in one of the former applications this evening.

There was discussion about the wrap-around deck that had been built on the house.

Board Member Patricia Walsh questioned whether the house was on pilings. Dr. Steiner replied that it was not.

A motion was made to continue the hearing at the next regular meeting and to do a site inspection on August 22, 1987 at 10:00 a.m. The motion was seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh. "No" none.

The Chairman read a letter from Robert L. Albertson and Kathryn Prior in reference to the Steiner/Franchi application. They wished to go on record as being not in favor of the application for the reasons stated in the letter.

Continuation of the Special Meeting of August 15, 1987 in regard to Avon Hotel Corporation. The Chairman, C. Raymond King, turned the meeting over to James Van Schoick

The Board Members discussed their findings at the Site Inspection of the Avon Hotel Corp. Project and the course of action that should be pursued. The Board Attorney advised them that if they planned to pursue any legal action they had better review the plans of the project carefully and be sure the complaints they had were factual and carefully documented. The Board Attorney also explained to the Board their place in this situation. The Board adopted a Resolution some time ago and after adoption of the Resolution, the administration of putting that Resolution into effect becomes the responsibility of certain of the Borough Officials. It's not the Board's place to put it into effect, nor does the Board have the power to enforce the Resolution. However, if the Board sees, and chooses, as any private citizen can do, the variance is not being followed by the Borough Officials, they then can pursue the option of contacting the Borough Officials, to find out why they are not doing their job. As a last resort, if the Board does not feel that these Officials are doing what the Board feels is their job, then they have legal remedies to make them do their job. The Board Attorney made the point that the Board's relationship with the Avon Hotel Corp. ended when the Resolution was adopted. Their course of action would have to be directed to the Borough Officials not directly to the Avon Hotel Corp. The relationship with the applicant ended when the Resolution was passed.

In discussing the problems with the project, the Board Attorney urged the Board to have a meeting with the Building Inspector and the Borough Engineer to explain the differences as they saw them, this being the only way to resolve the questions.

C. Raymond King, 26 Spruce Avenue, advised the Board Attorney that he felt another month would go by before this was resolved and in the meantime the project continued uninterrupted. He felt that this delay was unreasonable.

Mr. Kenneth Schneider, Board Member, joined the meeting at 10:20 p.m.

Maureen Walsh, 4 Cherry Place, Old Squan Village, asked the Board some questions regarding this project.

Evelyn Wagner explained that the course of action was to be decided at the meeting this evening after consulting with the Board Attorney. This had been agreed upon at the Special Meeting on Saturday.

Kenneth Schneider made a motion that the Board Attorney write a letter to Sandy Ratz asking him to meet with the Board within two weeks at a time convenient to him and if he does not respond within five days, inform him that he would receive a subpoena. The motion was seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, Schneider, Sullivan, Van Schoick, Wagner, Yatter, Walsh. Abstain: King. "No" none.

The Borough Engineer will also be sent a letter by the Board Attorney requesting him to meet with the Board to resolve this problem.

The Board Attorney advised the Board Members to check the plans that are in their file and the plans that are in the file in the Construction Code Office to be sure of their facts when they meet with the Engineer and the Building Inspector to discuss the problems as they see them.

Ms. Walsh and Robert Zanes questioned the Board as to the penalty that would be imposed, if, when they question the Building Inspector and the Engineer, the Avon Hotel Corp. had indeed made serious deviations in the plans.

Mrs. Walsh and Mr. Zanes also made statements urging the Board to take on leadership responsibility in trying to get the building officials to enforce the laws as they are written.

Mr. Zanes suggested hiring an impartial professional to evaluate the plans and give an objective opinion as to any deviations. Mr. King supported this suggestion.

The Board discussed the content of a Resolution and how much should be defined in this document.

Evelyn Wagner suggested that a committee be appointed to go look at the plans that are in the file in the Construction Office and compare them with the plans that are in the Board of Adjustment file to prepare the questions that should be asked of the Building Inspector and the Engineer when they appear before the Board. James Van Schoick, Robert Giffith and Samuel Yatter were appointed as the committee to review the two sets of plans.

A motion was made to adjourn the meeting by Samuel Yatter, seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Sullivan, Van Schoick, Wagner, Yatter, Walsh, Schneider. "No" none.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
JULY 15, 1987
BOROUGH HALL, MANASQUAN, N.J.

The meeting was called to order by Chairman, C. Raymond King at 8:00 p.m. Following the salute to the Flag, it was determined that a quorum was present. The following members were in attendance: C. Raymond King, Robert Griffith, Kenneth Schneider, Leonard Sullivan, James Van Schoick, Evelyn Wagner, Samuel Yatter and James Mastrian. Absent: Patricia Walsh.

Mr. King noted that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Coast Star. The Chairman requested approval of the Minutes of the June 17, 1987 meeting submitted by the Board Secretary.

A motion was made by Leonard Sullivan to approve the Minutes of the June 17, 1987 meeting, seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members King, Sullivan, Yatter, Van Schoick, Wagner, and Mastrian. "No" none. Abstain: Schneider and Griffith.

Resolution 5-87- Paul Dawicki - 484 Brielle Road

Attorney Peter Ragan read the Resolution of the Board of Adjustment. James Mastrian called the Board's attention to some problems with the Resolution. On page 2 line 4 stated three bedrooms rather than 2 bedrooms, the storage loft should be painted and it should state that there was to be no parking on either side of the front entrance.

A motion was made by Samuel Yatter and seconded by Evelyn Wagner to approve the Resolution subject to the changes just discussed. Motion was carried by the following vote: "Yes" Board Members King, Schneider, Sullivan, Van Schoick, Wagner, Yatter. "No" Griffith.

Resolution 13-87 - Carol Kenny - Attorney Peter Ragan read the Resolution. Motion was made by Evelyn Wagner to approve the Resolution, seconded by Robert Schneider. Motion was carried by the following vote: Board Members King, Griffith, Schneider, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Application 15 - 87 - Cont. - James & Mary Monaghan - 9 Lockwood Ave. Applicants were not present, therefore, hearing delayed until next meeting. James Mastrian made a motion to continue the hearing at the next meeting, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Schneider

Sullivan, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Application 16-87 Cont. - Elbert M. Hoppenstedt - 39 Beachfront

Board Member King advised the Board that a site inspection had been done on Saturday, June 20, 1987 at 9:30 a.m. Mr. Hoppenstedt's son requested that they be granted a memorialization of the Resolution so that they could get their building permit as soon as possible. Since there were no problems with the application, Board Member James Van Schoick made a motion to close the hearing, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Schneider, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Kenneth Schneider made a motion to move the Resolution and memorialize the Resolution seconded by Leonard Sullivan. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

New Application - 17 - 87 - John Stemmerman - 310 Cedar Avenue

The Board Attorney swore in Mr. & Mrs. John Stemmerman - Helen Stemmerman, 310 Cedar Avenue, John Stemmerman, 310 Cedar Avenue, Manasquan, N.J.

The Stemmermans were requesting to incorporate a porch into a living room. The wall dividing the living room and the bedroom from the porch will be taken down extending these rooms three feet further out onto the porch area and new windows will be installed. The reason for doing this is that the house is very dark and dismal. Mr. Stemmerman explained the construction of the new wall. Mr. Tony Auth, the builder for the Stemmermans asked to be recognized and was allowed to testify after being sworn in: Tony Auth, Custom Builders, P.O. Box 1430, Pt. Pleasant, N.J. He explained that they proposed to delete the wall separating the porch from the living room and bedroom and extend each room approximately three feet. The existing windows will be replaced. Board Members questioned Mr. Auth regarding the plans submitted. He assured the Board that there will be no exterior work, just window replacement, and all the work will be done on the interior of the building. There will be no change in the structure and this change is for their personal use.

Mrs. Stemmerman explained that the porch cannot be used during the winter and it is very gloomy during those months. The Board Members generally felt that there were no problems with the plan, but that a site inspection should be done. Robert Griffith made a motion that the hearing be continued at the August 19th, 1987 meeting and a site inspection be done on Saturday, July 18, 1987 at 9:00 a.m. The motion was seconded by James Van Schoick and Carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

New Application - 18 - 87 - Thomas Haring - 285 Beachfront

Attorney Ragan swore in Mr. Thomas Haring and Rita Haring of 285 Beachfront. The Board Attorney marked the file. The Harings were requesting permission to build a new building including three garages with two apartments above the garages to the rear of their beachfront home that the building inspector had denied for the following reasons:

Not a permitted use: no residence: or structure
on the rear of a lot with another dwelling.

Mr. Haring presented his plan to build a three car garage with two one bedroom apartments on the second floor, in place of a two car garage presently

occupying that space. The apartments would be occupied by the Haring's respective parents, as retirement homes. The three car garage would provide parking for six cars. The structure would be 36 feet by 40 ft. in an R4 zone, 40 feet long. The Board of Adjustment members discussed the plan with Mr. Haring. The apartments would contain a kitchen, living room, a bathroom and a bedroom. There would be room for storage and a utility room in the garage. The building will be done by a professional local builder. Mr. Haring mentioned that he was the only one that did not have a rear dwelling on the lot in the neighborhood. All the houses to the left and right of him have a second building on their lots with two or three or four apartments in them.

Attorney Ragan asked if anyone in the audience had any comments.

Mr. Robert Ernst, 285 First Avenue, expressed concern that this would block out the view and ventilation. Also, he felt that this area is over populated now and adding more apartments would present a problem with parking. Mr. Ernst was very much opposed to this application.

Audrey Dean, 283 First Avenue, advised the Board that there are a lot of homes on the beachfront that have only one home on the lot. Not all of them have two homes, specifically at least 13 homes. She felt that this could set a precedent and in the future anyone that wanted to could put up another home and make the parking problems worse than they are already.

Mrs. Gelks, 281 First Avenue, asked the Board what the hardship was being claimed by Mr. Haring. Attorney Ragan explained that hardship could be defined in two different ways: 1. It can be the primary reason for a bulk variance, that is, that front yard set back etc. for a use variance, a hardship can be one of the reasons that the applicant gives. Generally a hardship should relate to the geographics of the land, the size or the topographics or something special about the land. We can only define what a hardship is, the applicant has to give the reason.

Julie Sills, 281 First Avenue, advised the Board that she and her parents owned the land at 281 First Avenue and they have seen drastic changes to the Manasquan area. She felt that this building would add additional tenants to the neighborhood, even though Mr. Haring has stated that he doesn't plan to rent it, but that this could change, no one has control over the future. Six cars, rather than four, she reiterated what some of the other neighbors had stated, would add too much additional traffic to the neighborhood and be a problem. Therefore, she was against this application.

Doug McGilvray, 282 First Avenue, questioned the drawings and the dimensions as designed. He felt that they left something to be desired and something to be questioned.

Evelyn Lorello, 416 and 417 Beachfront, speaking for her grandparents, expressed the concerns that her family had for parking in that area and having observed the area where the applicant wants to build, she can sympathize with the concerns of the neighbors in that area. She supported the people that were against the application.

Mr. Robert Ernst stated that for the record Mr. Haring owned the property for less than one year and has another house close to this area. Therefore, he questioned the need for two apartments and was the Board going to continue to allow the practice of violating the zoning ordinances.

Julie Sills, asked that since she was a lay person, how seriously were their objections taken. Will the Board consider these objections before granting the application.

Mr. King assured Ms. Sills that they had listened to the objections and they will go down and do a site inspection, come back to the next meeting with more questions and then discuss it among the board before making a decision. There are seven members that will vote on the application and at this point they do not know how they will vote.

James Mastrian asked Mr. Haring what he is citing as his hardship? Mr. Haring felt that he cannot be considered a non-conforming use when the entire neighborhood has the exact same thing that he would like to do. That's his hardship, not being able to have what everyone else has. Mr. Haring was informed that these houses were preexisting the ordinance.

Samuel Yatter advised Mr. Haring that he has always had a problem with people that say they want to use these structures for themselves, and then after a period of time they sell it and it becomes a rental property and does contribute to the population and parking problems.

James Van Schoick made a motion to continue the hearing at the August 19, 1987 meeting and do a site inspection Saturday, July 18, 1987. Kenneth Schneider seconded the motion and the motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

A letter from Dr. Alan Steiner requesting an early hearing was discussed by the Board and since the Secretary to the Board informed them that the Agendas were light for the next few months, a motion was made to put the hearing on the August Agenda for hearing by Kenneth Schneider, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Van Schoick, Sullivan, Wagner, Yatter, and Mastrian. "No" none.

Bianca Franchi a member of the audience, co-owner of the property discussed above asked some questions regarding the needs of the applicants for presentation at the hearing.

The Chairman, C. Raymond King, read a letter of resignation from Attorney Ragan to the Board Members. Robert Griffith made a motion to accept with regret the resignation, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

James Mastrian made a motion that they advertise the position of Attorney to the Board of Adjustment, seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

The applicants will appear before the Board to be interviewed for the position.

Attorney Ragan gave a report on the status of the performance of the Avon Hotel Corp. Some of the items of issue had be taken care of, but there were some unresolved issues. However, since some of the items of issue were resolved, he had not written the letter as instructed by the Board. The Board Members discussed the problems that are remaining with this project and James Mastrian made a motion that the Board Attorney be instructed to write a letter to the Construction Code Official stating

the Board's position on these problems and expressing their concerns regarding this project not being done as presented at the Board Hearings. Motion was seconded by Mrs. Wagner, and carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Van Schoick, Sullivan, Wagner, Yatter, and Mastrian. "No" none.

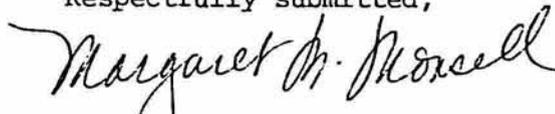
The Chairman inquired about the status of the Chicant application. The Secretary advised the Chairman and the Board that no new application had been submitted at this time.

The Chairman made assignment on the following applications:

Paul Dawicki 5 - 87	Evelyn Wagner
Guzik/Ferrante 7 - 87	Robert Griffith
Pringle 11 - 87	James Van Schoick
Carol Kenny 13 - 87	Samuel Yatter

James Van Schoick made a motion to adjourn, seconded by James Mastrian. Motion was carried by the following vote: "Yes" Board Members Griffith, King, Schneider, Sullivan, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
SPECIAL MEETING
AUGUST 15, 1987
BOROUGH HALL, MANASQUAN, N.J.

The Chairman called the meeting to order at 9:10 a.m. and determined that a quorum was in attendance. The following Board Members were present: Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Samuel Yatter, Patricia Walsh. Absent: James Mastrian, Leonard Sullivan, Board Attorney Peter Ragan.

Mr. King noted the meeting was held in accordance with the Open Public Meeting Act of 1975 and was advertised in the Coast Star. This was a Special Meeting in regard to Avon Hotel Corporation project on Sea Girt Avenue. The Chairman, C. Raymond King, turned the meeting over to James Van Schoick because of possible conflict of interest.

Mr. Van Schoick explained the reason for calling the meeting, namely that the Board had some questions regarding whether or not the Avon Corp. had had constructed the project according to the plans submitted to and approved by the Board. After discussing the project, the Board will adjourn and then make a site inspection to determine if there are any deviations of the plans. Some of the problems of note were the construction of the retaining wall, the sidelines, the height of the buildings and an oil tank that should have been removed from the ground.

Mr. Richard Horton, 227 Broad Street, advised the Board that he believed there was an oil tank to the rear of his property that had not been removed. Mr. Van Schoick advised Mr. Horton that they would look for this during their inspection.

Board Member Yatter requested that they have an impartial witness accompany them to the site and suggested that Mr. Olsen be the witness since his observations would be objective with no personal interest in the project. Mr. Olsen agreed to accompany the Board on the site inspection.

C. Raymond King, 26 Spruce Street, advised the Board that the Final Site Plan had never been submitted for the record and not signed before the Building Permit had been issued.

Mr. Van Schoick suggested that the meeting be adjourned to go on the Site Inspection and then bring the findings back to the Regular Meeting on Wednesday, August 19, 1987 to be discussed. The Board would then make a decision on their course of action.

Mr. King suggested that they recommend to the Mayor and Council that the Building Inspector be suspended from this project until this matter is straightened out and an independent consultant be brought in to inspect the project.

It was agreed that the course of action would be decided on Wednesday evening, at the Regular Meeting.

Mrs. Wagner felt that before any final decisions were made on the course of action, they should discuss this at the meeting Wednesday night.

Mrs. Maureen Walsh, 4 Cherry Place, questioned whether or not the retaining wall would be broken through and a road through to Cherry Place be constructed.

Mrs. Walsh was informed that the Board had not approved a road at that point and this was one of the stipulations of the Board's approval of the project.

Mrs. Walsh also complained about the garbage that was accumulating at the project and blowing out into their neighborhood and the trucks that speed down through Cherry Place to get to the construction site.

Since the Board Attorney was not present, it was agreed by the members of the Board that they would not convene the meeting again, after the site inspection, but would discuss their findings at the Regular Meeting on Wednesday evening, August 19, 1987.

A motion to adjourn the meeting and proceed to the site inspection was offered by Evelyn Wagner, seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Schneider, Van Schoick, Wagner, Yatter, Walsh. Abstain: King

Respectfully submitted,

Margaret M. Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES

REGULAR MONTHLY MEETING

JUNE 17, 1987

BOROUGH HALL, MANASQUAN, N.J.

The meeting was called to order by Chairman, C. Raymond King at 8:00 p.m. Following the salute to the Flag, it was determined that a quorum was present. The following members were in attendance: C. Raymond King, Leonard Sullivan, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian Alt. #1 and Patricia Walsh Alt. #2. Members absent: Robert Griffith and Kenneth Schneider. Attorney W. Peter Ragan was present. Board Secretary Margo Monsell present.

Margo Monsell was sworn in as Secretary to the Board of Adjustment by Attorney Peter Ragan.

Mr. King noted that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Coast Star. The Chairman requested approval the May 20, 1987 Minutes submitted by the Board Secretary.

A motion was made by Samuel Yatter to approve the Minutes of the May 20, 1987 meeting, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members King, Sullivan, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Resolution 7-87 - Robert K. Ferrante/Joseph C. Guzik - 80 Ocean Avenue
Attorney Peter Ragan read the Resolution Memorialization of the Board of Adjustment, Borough of Manasquan subject to conditions as stated in the certified copy. Evelyn Wagner made a motion to approve the Resolution Memorialization and the motion was seconded by James Van Schoick. The motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Resolution 8-87 - Daniel & Susan Nalepa - 413 E. Main Street
Board Member Leonard Sullivan read the Resolution and Findings and Conclusions of the Board of Adjustment, Borough of Manasquan. James Van Schoick offered a motion to approve the Resolution seconded by Samuel Yatter. The motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Resolution 11-87 - William Pringle - 30 Deep Creek Drive
Attorney Peter Ragan read the Resolution and Findings and Conclusions of the Board of Adjustment of the Borough of Manasquan. A motion was made by James Van Schoick to approve the Resolution seconded by Evelyn Wagner.

The motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter, Mastrian. "No" none.

Resolution 14-87 - Alonzo Nielsen - 324 E. Main Street

Patricia Walsh read the Resolution and Findings and Conclusions of the Board of Adjustment of the Borough of Manasquan. A motion to approve the Resolution was offered by James Van Schoick seconded by Samuel Yatter. The motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter, Mastrian. "No" none.

Application 5-87 - (Cont.) Paul Dawicki - 484 Brielle Road

Mr. Paul Dawicki, Engineer, Frank Pannone and Mr. Montenegro Esq. were present for the hearing. Mr. Montenegro Esq. explained that they were presenting the Board with three pages of revised plans with the following changes; there would be a "gallery" on the third floor where two heating systems would be placed, a hot water heater and an area for a laundry room with washer and dryer. There would also be a storage area that would only be 6ft. high unfinished. The collars supporting the roof will be 6 ft. high. The roof will be two feet less in height than the prior proposal. There will be limited parking, none on the left side but perhaps one space on the right due to the fact that an access way to the back of the building will be on the right side.

Mr. Montenegro, Esq. and Frank Pannone, the Engineer explained the plans and the changes to the Board Members. Essentially they were trying to keep the first and second floor apartments similar and correct the areas that the Board had problems with at the previous hearing.

The Board Members discussed the specific changes with Mr. Dawicki, Mr. Pannone and Attorney Montenegro. There was particular discussion regarding the third floor "gallery", some members feeling that the storage area could be used as another bedroom. The applicant agreed to sheetrock the ceiling, keeping the height to 6 ft. to prevent this use. The applicant also assured the Board that there would be a buffer planting on the left of the property to prevent parking of cars in front of the building.

A motion was made to close the public hearing by James Van Schoick, seconded by Evelyn Wagner. The motion was carried by the following vote: "Yes" Board Members King, Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Walsh. "No" none.

A motion was made to draw up a favorable Resolution subject to the following conditions: 1. That the storage area ceiling will be sheetrocked; 2. That the entry to the bath will be changed from the master bedroom to the common hallway; 3. That there will be no parking in front, evidenced by some decorative blocking of the front by way of shrubs, fence or the like, subject to the approval of the construction official; by Evelyn Wagner seconded by James Van Schoick. The motion was carried by the following vote: "Yes" Board members King, Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Patricia Walsh. "No" none.

Application 13-87 - Carol Kenny - 352 E. Virginia Avenue (Cont.)

The applicant Carol Kenny was present. A site inspection had been made by the Board Members and they found no problem with the application. There were no comments from the audience. A motion was made to close the public hearing by Evelyn Wagner, seconded by James Van Schoick. The motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

A motion was made to draw up a favorable Resolution by Evelyn Wagner, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members King, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Application 15-87 - James & Mary Ann Monaghan - 9 Lockwood Avenue

Attorney Peter Ragan administered the oath to James and Mary Ann Monaghan residing at #9 Lockwood Avenue, Manasquan, N.J. 08736. Mr. Monaghan read a statement regarding their reason for the application. Due to an increase in the size of their family, they would like to provide additional bedroom and living space for them. Mr. Monaghan presented the plans for the addition and explained the specifics of the plans. The plans as presented will provide modernization of the home, plus three large bedrooms, two full baths, a larger living room, a family room and a study. They also plan to upgrade the heating system, put on a new roof, update the electric service, re-side the home and generally improve the appearance of the house.

The Board Members questioned Mr. Monaghan regarding the plans and the enlargement of the second floor area. Mr. Monaghan also explained that he was sub-contracting most of the work and that he himself was going to do the siding. Mr. Monaghan advised the Board that this work would not be done until after the birth of their expected baby, sometime around October, during which time the family would be staying with relatives in the area.

A motion was made to do a site inspection on Saturday, June 20, 1987 at 9:00 a.m. and continue the hearing at the next meeting, July 15, 1987 by James Van Schoick seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members King, Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Walsh. "No" none.

Application 16-87 - Elbert M. Hoppenstedt - 39 Beachfront

Attorney Peter Ragan administered the oath to Elbert Hoppenstedt residing at 39 Beachfront and Richard Hoppenstedt, son of Mr. Elbert Hoppenstedt, residing at 30 Farm Lane, Eatontown, New Jersey. Mr. Richard Hoppenstedt presented the plans submitted with the application and explained the problems and the reason for the expansion. They will remove the deck and extend the two bedrooms on the upper level with a smaller deck thus enclosing an area of the roof (the floor of the deck) that had been leaking and they cannot fix. They are winterizing the house. Mr. Hoppenstedt lives in the house nine months of the year and has a winter rental during the time he is away in Florida. There will be no change in the number of rooms, only in the size of the two existing bedrooms. There will no change in the footprint of the building. A motion was made by James Van Schoick to do a site inspection on Saturday, June 20, 1987 at 9:30 a.m. and continue the hearing at the next meeting, July 15, 1987. The motion was seconded by Leonard Sullivan and carried by the following vote: "Yes" Board Members King, Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Walsh. "No" none.

Chicant Application - Attorney Ragan reported that he had talked to Sandy Ratz, Building Inspector and Kevin Thomas who represents the Chicant Corporation and there's no question in his mind that the C O is not and will not be issued. Whatever they choose to do, they will have to reapply and issue notices again and this will be in the future.

Avon Hotel Corporation - Attorney Ragan advised the Board that he had talked to Sandy Ratz about this and aside from complaints outside the Board by Mr. King, Mr. Ratz thinks that in his consultation with the Engineer that the progress is satisfactory and if it's satisfactory to the Engineer, it's satisfactory with him. Attorney Ragan noted that he had been advised that there seemed to

be some deficiencies in this particular construction file as to what is on file and what is supposed to be on file and how it is progressing, but as far as our Borough Construction Official is concerned it's okay with him. Board Member James Van Schoick objected to the fact that the plans called for a certain progression of work and that this had been violated. The sequence of construction had not been followed. C. Raymond King turned the gavel over to Leonard Sullivan and spoke to the Board as a private citizen and noted that the building permit had been issued before the performance guarantee was presented and the final site plan had never been submitted to the Board of Adjustment for approval to his knowledge. As a resident and taxpayer, he felt that the retaining wall construction was very poor.

Attorney Ragan suggested that the Board write a letter to Sandy Ratz with copies to the Mayor and Council with the specific problems listed and stating that if these problems are not resolved by the next meeting of this Board of Adjustment the Board will consider legal action. A motion was made by Samuel Yatter to send this letter, seconded by James Mastrian. The motion was carried by the following vote: "Yes" Board Members Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Walsh. "No" none. C. Raymond King Abstained.

Letter from Dr. Alan Steiner - 35 W. Main St., Denville, N.J. re: 27 Beachfront
The Secretary to the Board reported that although she had sent an application to Dr. Steiner through the mail, it had not been returned to date. Therefore, the Board was unable to take any action on this letter until the application is filed. The Secretary was asked to notify Dr. Steiner that until the application is filed, the Board can not entertain his request.

C. Raymond King, the Chairman of the Board, informed the Board that the Board Attorney, W. Peter Ragan Esq. will be resigning. Attorney Ragan explained his reasons for resigning and although the Board Members asked him to reconsider his decision, he felt it would be for the good of the Board and also a change would be good for him. He will not resign until January in order to give the Board time to replace him. He assured the Board that he had enjoyed his term with them and would send a formal letter to them.

Board Member, James Mastrian brought up the fact of the height of the buildings on the Langella property. He felt that the language in the Resolution was not clear, in that, in one part it said the buildings should be "like kind" to conform to the buildings in the area but in another section of the Resolution it refers to conforming to the height specifications in the zoning code. Since the time limitations have long passed, no action could be taken on this. Mr. Mastrian felt that more attention should be given to conditions and specifications in the Resolutions that are drawn up in the future.

There being no further business, a motion was made to adjourn the meeting at 10:00 p.m. by Leonard Sullivan, seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members King, Sullivan, Van Schoick, Wagner, Yatter, Mastrian and Walsh. "No" none.

Respectfully submitted,



Margo Monsell
Secretary to the Zoning
Board of Adjustment

The Board decided to go on with the meeting until Mr. Yatter arrived and Mrs. Walsh advised the Board for the record that she had listened to the tapes of the meetings she had missed. Mr. Mastrian decided to proceed with the hearing on Application 29-87, Thomas Trezza - Third Avenue.

Mr. Trezza was present and his Attorney Amy Warner. There was discussion of the legal process for this application with the opinions of the Board Attorney and the Applicant's Attorney presented for the record. Attorney Warner advised the Board that she was prepared to proceed with a new application, however, they would be using the original set of plans that had been presented with the first application. Ms. Warner called Mr. Trezza to testify regarding the background of the case and his plans for the building. He advised the Board that a variance had been granted for the building in September of 1985 with a zero side yard setback. He did not proceed with building the house because he was not aware there was a time limit on the variance and he was saving more money to build the house. Mr. Trezza explained his present plans for building his home. Mr. Trezza explained that he planned to center the house on the lot and have a driveway in the front of the house with room for two cars to the right of the house, the rest of the area in front of the house would be landscaped with shrubs and stone. Board Member, Mrs. Walsh advised the Board she would be abstaining from the vote on this application. The Chairman asked her to read a letter submitted by Mr. Walsh and herself, who own the property next to the lot in question for the record, expressing their opposition to the zero side yard setback but having no objection to limited parking in front of the property. The Board agreed that there was no need for another site inspection. Mr. Wood a real estate broker was called by Ms. Warner to testify regarding the effect that the building in question would have on the neighborhood and how this building would relate to the rest of the homes in the neighborhood. Mr. Wood testified that there are a mix of types of homes in this area and that a home that had recently been built had a parking area for six cars in the front of the building. He felt that this building that Mr. Trezza planned to build would not be a detriment to the area. Mr. Trezza was asked to describe his plans for the landscaping of the property by the Chairman. Mr. John Kobus, 229 Third Avenue, stated that he perceived no problem with centering the house on the lot with parking in the front rather than having the house built with zero side yard set back. Mr. Kobus owned the property adjacent to Mr. Trezza's.

Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none. Abstain: Walsh

The Board members discussed the testimony given and plans as submitted, and the concensus of opinion was that Mr. Trezza could not be denied his right to build on the lot and if the present plans were acceptable to the adjacent property owners this would be acceptable to the Board.

Kenneth Schneider made a motion to draw up a favorable resolution with the landscaping in the front of the property defined in the resolution, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick.

"No" none. Abstain: Walsh.

Ms. Warner requested that since there would be a Special Meeting of the Board on the 24th of February, could it be possible to have the resolution read at that meeting. Mr. Trezza was willing to pay part of the cost of the meeting and this would allow him to get started on building the house as soon as possible. The Board Attorney agreed to do the Resolution for that meeting.

Mr. Yatter had joined the meeting and Mr. Mastrian thanked Mr. Yatter for attending this meeting to make it possible to vote on the cases that had been heard previously.

Roll Call: Present: Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Walsh and Yatter.

Absent: None.

Resolution 24-87 - Alan Steiner/Bianca Franchi - 27 Beachfront

The Board Attorney read the Resolution. Mr. Alton Neff, attorney representing Dr. Steiner & Bianca Franchi was present. There being no further discussion regarding the Resolution, Kenneth Schneider made a motion to approve the Resolution seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" Robert Griffith.

Resolution 27-87 - Richard Mueller - 79, 81, 83 Beachfront

The Board Attorney read the Resolution. There being no further discussion, James Van Schoick made a motion to approve the Resolution seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" none.

Resolution 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Attorney Byrnes read the Resolution. Mr. Mastrian asked for a correction in the last paragraph of the first page and Mr. Dreyer asked that his address be corrected. There being no further discussion, Robert Griffith made a motion to approve the Resolution seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Pincus, Schneider, Van Schoick, Walsh, Yatter, Griffith. "No" Kazenmayer, Mastrian.

Application 25-87 - Chicant Corporation - 165 Beachfront

Attorney Amy Warner represented Chicant Corp. Ms. Warner requested that if the variance should be denied and they were unable to get the work done before the rental season, would it be possible to get a temporary C O to allow them to rent the house for the summer season and do the work in the fall. Ms. Warner was advised that the Board could not give them permission to do this. The Building Inspector would have to determine if the building was safe and then would decide whether a temporary C O could be issued. There being no further discussion, Samuel Yatter made a motion to draw up a resolution to deny the variance, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" none.

This concluded the portion of the meeting that Mr. Yatter and Mrs. Walsh were needed to vote on the pending applications. The Chairman expressed his thanks to Sam Yatter and Mrs. Walsh and accepted Mr. Yatter's resignation with regret. Mr. Yatter and Mrs. Walsh left the meeting.

Application 1-88 - William Lawless - 568 Pike Avenue

Mr. Lawless was present for the hearing. A site inspection had been done on the Saturday following the January 20, 1988 meeting. The Board Members discussed the deck with Mr. Lawless and suggested that the deck be redone extending it across the back of the house and making it narrower to meet the code regarding rear setback. There was also discussion regarding the penalty for having constructed the deck without a permit. Mrs. Kazenmayer informed the Board that the fine would be imposed after the hearing. The Board could recommend a fine and the building inspector would impose the fine. Mr. Ralph Travisano and Miss Kathy Christian of 565 Trout Avenue, members of the audience and neighbors of Mr. Lawless voiced their objections to the width of the deck. They felt this was setting a precedent for the other residents in that neighborhood and also was projecting the idea that if you put up the deck without a permit and were willing to pay the penalty, this would be the way to go to evade the regulations in the zoning code. Mr. Lawless stated that he felt that the improvements to his home enhanced the look of his home and thus the neighborhood. Mr Travisano voiced apprehension that the deck would eventually become a room. There being no further discussion, Margaret Kazenmayer made a motion to close the public hearing, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

The Board Members discussed their feelings regarding the course of action they should recommend in a resolution. Mr. Mastrian asked Mr. Lawless if he wished to waive the time limit and postpone the vote on a resolution until the next meeting, giving him the opportunity of having more members voting or if he chose to change his application to meet the suggestions of the members regarding the width of the deck. Mr. Lawless agreed to do this. A motion was made to continue the hearing at the next meeting, March 16, 1988 by Kenneth Schneider seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 2-88 - Harry A. & Margaret McEnroe - 52 Second Avenue

Mr. McEnroe was present for the hearing. A site inspection had been done on Saturday January 20, 1988. Mr. McEnroe explained his plans for building front and back decks to replace porches that had deteriorated. He also planned to make other exterior renovations with new siding and windows. The Board Members discussed the plans. Mr. Mastrian asked for questions from the audience. There being no questions, Mr. Mastrian asked for comments from the Audience. Mrs. Kelly, a neighbor of Mr. McEnroe's, asked the Board to vote favorably on the variance.

There being no further discussion, Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

A motion to draw up a favorable resolution was offered by James Van Schoick seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" none. Abstain: Schneider.

Application 4-88 - William & Adrienne Rogers - 30 Rogers Avenue

Mrs. Rogers was present. A site inspection was done on Saturday, January 20, 1988. The Board Members discussed the application and there being no comments from the audience a motion was made to close the hearing by James Van Schoick seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Margaret Kazenmayer made a motion to draw up a favorable resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" none. Abstain: Schneider.

Mrs. Rogers requested that the Resolution be memorialized. A motion was made by James Van Schoick seconded by Claudia Pincus to have the Resolution memorialized. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 3-88 - Alphons & Kathleen Kainer - 111 Beachfront

Mr. Kainer was present and the oath was administered by the Board Attorney. Mr. Byrnes marked the file. Mr. Kainer explained his plans to the Members of the Board. The plans called for removing an existing garage and building a new four car garage with one apartment above it. He has not rented his house in the past and plans to use the apartment for his own family with no intention of using this space for a rental unit. Mr. Kainer reported on research he had done regarding the amount of structures on lots in the vicinity of his house and also parking provisions in his neighborhood, in an attempt to prove there would be no adverse impact on the area if he was allowed to build this structure. The Board Members agreed that a site inspection should be done before they could comment on the application. Kenneth Schneider made a motion that a site inspection be done on Saturday, February 20, 1988 at 9:00 a.m. and continue the hearing at the March 16th, 1988 meeting. Motion was seconded by Robert Griffith and carried by the following vote: "Yes" Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 4A-88 - Joseph Sullivan - 25 Captain's Court

Mr. Sullivan and his attorney, Kenneth Fortier were present for the hearing. The Board Attorney administered the oath to Mr. Sullivan and marked the file. Mr. Fortier explained the problem that existed that had made it necessary to apply for a variance particularly with a boat slip that is on Mr. Sullivan's lot that he did not want; but had been forbidden to change by the DEP. Mr. Sullivan gave testimony regarding his appeal to the DEP and the result of his request and presented the letter he had received from the DEP in evidence. Mr. Sullivan described the structure he intended to build and how he planned to locate it on the property to the best advantage. The problem of having to start the setback in the rear at the boat slip caused the structure to be placed in a poor location and therefore Mr. Sullivan was applying for the variance requesting permission to violate rear and sideyard setbacks. Mr. Van Schoick requested that Mr. Sullivan stake out the house to make it possible for the Board Members to visualize how the house would be located on the lot when they do a site inspection.

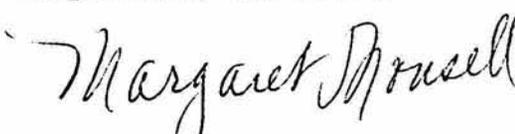
James Van Schoick made a motion that a site inspection be done on Saturday, February 20, 1988 at 9:30 a.m. and continue the hearing at the March 16th, 1988 meeting seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Mr. Mastrian expressed concern regarding the delay in hearing applications in excess of 120 days. The agenda is booked through May 1988 and he felt that perhaps something should be done to speed up the hearings. Mr. Mastrian asked the Board Attorney to research this matter for the next meeting.

Mr. Mastrian also brought up the problem of Board Member attendance. He felt that if a member missed two consecutive meetings he should become an alternate and the alternate be moved up to a regular member of the Board. If a member missed three consecutive meetings perhaps stronger action should be taken. He asked the members to consider this before the next meeting in March. Mr. Mastrian felt that this also slows down the agendas since there are times the voting is postponed for lack of members eligible to vote. He asked that the Board Members think about this and discuss it at the next meeting.

A motion was made to adjourn the meeting by Kenneth Schneider seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
JULY 20, 1988
BOROUGH HALL, MANASQUAN, N.J.

The Regular Monthly Meeting of the Board of Adjustment was called to order at 8:00 p.m. by Robert Griffith, Vice Chairman of the Board.

Roll Call - Present: Robert Griffith, Claudia Pincus, Christopher Trafford, James Van Schoick, Patricia Walsh, Alma Roberts, James Bogan.

Absent: Margaret Kazenmayer, Edward Lyons

The Vice Chairman noted that a quorum was present and asked those attending the meeting to join in a salute to the flag. Mr. Griffith announced that this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Mr. Griffith announced that the minutes of the previous meeting were posted on the bulletin board in the lobby of Borough Hall and asked for a motion to approve the minutes as submitted by the Secretary. Motion was made by James Van Schoick seconded by Claudia Pincus. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh. "No" none. Abstain: Roberts.

The Board Attorney welcomed Mrs. Alma Roberts as a Board Member and administered the oath.

Resolution 10 - 88 - Michael & Claire Collins - 69 Beachfront was read by the Board Attorney, William Byrnes. There being no further comments, a motion was made by Christopher Trafford seconded by Claudia Pincus. Motion was carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford. "No" Walsh. Abstain: Van Schoick.

Resolution 12 - 88 - Erna L. Drum - 29 Atlantic Avenue was read by the Board Attorney. There being no further comments on the Resolution a motion was made to approve the Resolution by Claudia Pincus, seconded by Patricia Walsh. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh. "No" none.

The Board Attorney, William Byrnes read a resolution recognizing James Mastrian for his service on the Board and as Board Chairman. James Van Schoick made a motion to approve the Resolution seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh, Roberts. "No" none.

Application 11-88 - John W. Tawgin - 129 Sea Girt Avenue - The Board Attorney marked the file. Ron R. Ernish Jr., Architect, represented Mr. Tawgin and was sworn in by the Board Attorney. Mr. Ernish resides at 45 South St. in Brielle.

Mr. Ernish presented two drawings of the proposed alterations and parking facilities and described the plans for an addition of a second story on the warehouse and the parking spaces planned. He stated that they were willing to conform to any restrictions that the Fire Department would require for fire safety. Mr. Ernish explained that the owner would not be increasing the business activity but needed more storage space and was seeking to improve the parking facilities. There are approximately eight full-time employees working in the building. The house in the rear of the property is used for employees or guests from out of town. He also stated that they had tried to design the building to blend in with the surrounding residential community and would try to enhance the looks of the property with landscaping as well as improvements to the exterior of the building. The Board members questioned Mr. Ernish about certain aspects of the drawing.

There being no further questions from the Board Members, Kenneth Miller, Fire Protection Official was sworn in by the Board Attorney to give comments on the plans as submitted. The drawing Mr. Miller had submitted for the hearing was marked B1 for the file. Mr. Miller testified that he had done a routine fire inspection on the building and set aside a fire zone alongside the building and marked off the possible parking spaces on the property since this hearing would be taking place. He explained his reasons for his drawing the plan as submitted.

There being no further questions for Mr. Miller, the Chair recognized Carl Bartell, 158 Curtis Place a neighbor of Mr. Tawgin's. Mr. Bartell asked to view the plans for the building since they had not been presented before this meeting. Mr. Ernish endeavored to explain questions by Mr. Bartell and resolve his apprehension regarding the parking problem.

Diana Nobel, 125 Sea Girt Avenue, the next door neighbor of Mr. Tawgin expressed the same concerns with the parking problems in this area and the limitations of parking on Mr. Tawgin's property. She also expressed concern with garbage disposal i.e. where will garbage cans be placed if this area is used for parking and where will cardboard etc. be placed. She asked the Board to consider all of the problems with the parking in that area when they consider approving the application for the variance.

Mr. Ernish explained to the Board that the Sea Girt School of Dance is allowed to use available spaces on Mr. Tawgin's property when they are not being used as a courtesy to the dance school.

There was concern on the part of the Board Members regarding no sidewalks in this area making it dangerous for cars backing out of the spaces in the front of the building.

There being no further questions on the application by the Board, a motion was made to close the hearing by Claudia Pincus seconded by Christopher Trafford. Motion was carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh, Roberts. "No" none.

A motion was made to continue the hearing at the August 17, 1988 meeting and do a site inspection on Saturday, July 23, 1988 at 9:00 a.m. by James Van Schoick seconded by Patricia Walsh. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh, Roberts. "No" none. Mr. Griffith requested a set of floor plans for the building and a full set of plans for all the members of the Board at the next meeting.

The Vice-Chairman advised the members of the Board that the next two applications on the agenda had been postponed.

Christopher Trafford made a motion to adjourn the meeting seconded by Patricia Walsh. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Van Schoick, Trafford, Walsh, Roberts.

A motion was made to reopen the meeting by James Van Schoick seconded by Claudia Pincus. Motion was carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh, Roberts. "No" none.

Mr. James Bogan was welcomed as an alternate member of the Board of Adjustment by Attorney, William Byrnes, who administered the oath of office.

The Vice-Chairman of the Board asked for nominations for the position of Chairman of the Board. Mr. Griffith accepted the nomination until the first of the year. James Van Schoick made a motion to this effect seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Pincus, Trafford, Van Schoick, Walsh, Robert, Bogan. "No" none. Abstain: Griffith.

A motion was made to nominate James Van Schoick as Vice Chairman by Patricia Walsh seconded by Christopher Trafford. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Walsh, Roberts Bogan. "No" none. Abstain: James Van Schoick.

A motion was made to readjourn the meeting by Patricia Walsh seconded by Claudia Pincus. Motion carried by the following vote: "Yes" Board Members Griffith, Pincus, Trafford, Van Schoick, Walsh, Roberts, Bogan. "No" none.

Respectfully submitted,

Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
MARCH 16, 1988
BOROUGH HALL, MANASQUAN, N.J.

The Regular Monthly Meeting of the Board of Adjustment was called to order at 7:45 p.m. by James Mastrian, Chairman of the Board.

Roll Call: Present: Robert Griffith, Margaret Kazenmayer, James Mastrian, Kenneth Schneider, Claudia Pincus, James Van Schoick, Edward Lyons.
Absent: Patricia Walsh.

The Chairman noted that a quorum was present and asked those attending the meeting to join in a salute to the flag. Mr. Mastrian announced that this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Kenneth Schneider made a motion to accept the minutes of the Special Meeting, February 24, 1988 and the Regular Monthly Meeting, March 16, 1988. The motion was seconded by James Van Schoick and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

William Byrnes, the Board Attorney read a Resolution in honor of Samuel Yatter for his years of service to the Board of Adjustment.

The Board Attorney read Resolution 25-87 - Chicant Corporation - 165 Beachfront. There being no further comment on the Resolution, James Van Schoick made a motion to approve the Resolution seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Resolution 2-88 was read by the Board Attorney, application by Harry A. & Margaret McEnroe, 52 Second Avenue to construct a deck. It was noted that in the Resolution an 8 ft. by 8 ft. furnace room was included and this had been deleted from the plans. The Board Attorney was asked to amend the Resolution deleting the plans for the furnace room. Robert Griffith made a motion to approve the amended Resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Attorney William Byrnes read Resolution 4-88 - William & Adrienne Rogers - 30 Rogers Avenue. It was noted by the Board that the deck would be on the easterly side of the structure rather than on the southerly side and the Resolution should be amended to correct this as stated. Margaret Kazenmayer made a motion to approve the amended Resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 28-87 - Walter and Susan Dreyer - 15 Riddle Way - Mr. & Mrs. Dreyer had been denied a building permit based on the Resolution approved by the Board due to the fact that this structure was in a flood zone and the amount of renovation and addition would exceed 50% of the existing structure. The Board and Mr. & Mrs. Dreyer discussed the fact that the amended denial issued in November had never reached the Dreyers, therefore it had not been presented to the Board with their application. There was discussion of the options that were available to the Dreyers to pursue and also the basis of the 50% renovation rule and the need for pilings in a flood zone. It was decided by the Board that Mr. Ratz, the Building Inspector, would be asked to define the 50% rule and the hearing on this case would be reopened and continued at the April 20, 1988 meeting giving the Dreyers the opportunity to present evidence for their case. Edward Lyons made a motion to reopen and continue the hearing at the April 20, 1988 meeting seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 1-88 - William Lawless - 568 Pike Avenue - Mr. Lawless advised the Board that it would not be feasible for him to construct the deck across the width of the house because of wiring and plumbing, however he was willing to cut back the deck, therefore, only adding 2 feet to the previously existing deck which extended 8 feet. The Board Members discussed the other alternatives with Mr. Lawless and also discussed the fine that would be imposed. There being no further discussion from the Board Members or members of the audience a motion was made to close the hearing by Margaret Kazenmayer seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none. Margaret Kazenmayer offered a motion to draw up a Resolution approving the deck adding only 2 feet to the previously existing deck and a recommendation of a fine. The motion was seconded by Edward Lyons and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 3-88 - Alphons & Kathleen Kainer - 111 Beachfront cont. - The Board had done a site inspection on February 20, 1988 and noted at the time that the planned structure would be higher than the other buildings in the area. Mr. Kainer advised the board that he had reviewed the plans and had changed them to lower the height approximately five feet and presented new plans showing the changes. The Board Members discussed the plans with Mr. Kainer and expressed their concerns with density and parking problems. They also questioned the need for pilings under this structure. There being no questions or comments from members of the audience, Kenneth Schneider made a motion to close the hearing seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none. The Board Members discussed their feelings regarding the application. A Motion was made to draw up a Resolution to deny the variance by Margaret Kazenmayer seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 4A-88 Cont. - Joseph Sullivan - 25 Captain's Court - Mr. Sullivan was present for the hearing. Mr. Mastrian noted that a site inspection had been done on February 20, 1988. Mr. Sullivan presented new drawings to the Board which were supposed to show that the structure would be moved back from the boat slip 4 feet. However, in reviewing the plans it was noted that the architect had not moved the location of the building as instructed. Mr. Sullivan explained that this was an error on the part of the architect and that he fully intended to have the house built as the Board Members had requested. Mr. Sullivan's Attorney, Mr. Kenneth Fortier joined him at this point in the hearing. The members of the Board discussed the application and there being no questions or comments from the audience, a motion was made to close the hearing by Kenneth Schneider, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none. A motion to draw up a favorable Resolution contingent upon the plot plan showing a 12 foot setback from the bulkhead was offered by Kenneth Schneider. The motion was seconded by James Van Schoick and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Kenneth Schneider made a motion for a five minute recess seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, James Van Schoick. "No" none.

Meeting was called to order after a five minute recess. Roll Call: Present: Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. Absent: Walsh.

Application 5-88 - Thomas Haring - 285 Beachfront - Mr. & Mrs. Haring were administered the oath by the Board Attorney and Mr. Haring's attorney, Joseph P. LaSala was present. Mr. Haring explained that he had applied to the Board last year requesting a variance to build a three car garage with two apartments up over the garage, was denied, and now was reapplying to the Board with revised plans in an effort to overcome the objections of the Board on the original application. The Board Attorney marked the file. Mr. Haring explained in detail the plans he was submitting and the Board Members questioned Mr. Haring about details of the plans. Mr. Mastrian suggested that Mr. Haring check his Land Lease for any restrictions on building that may be stated in the lease. Mr. Griffith questioned Mr. Haring regarding the need for pilings for this construction. Mr. Haring assured the Board that the building would meet the code requirements as well as the flood zone requirements. The Board Members decided they would like to do a site inspection to review the plans at the site. Margaret Kazenmayer made a motion to continue the hearing at the April 20, 1988 meeting and do a site inspection Saturday, March 19, 1988. The motion was seconded by Kenneth Schneider. Members of the audience asked to make comments since they would be unable to attend the next meeting. The Chairman allowed the following people to comment on the application. Mrs. Gloria Mosher of 289 Beachfront and Joe Goode, 291 Beachfront made favorable comments and John Dean of 283 First Avenue made comments objecting to the application.

Margaret Kazenmayer restated the motion to continue the hearing at the April 20, 1988 meeting and do a site inspection on Saturday, March 19, 1988. The motion was seconded by Kenneth Schneider and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 6-88 - Eugene & Lucy Leahy - 475 Long Avenue - The Board Attorney marked the exhibits for the file. Dr. & Mrs. Leahy were administered the oath by Mr. Byrnes and Attorney Kevin Thomas was present representing the applicants. Mr. Thomas questioned Dr. Leahy regarding the area that this house was in and his plans for the new home. Dr. Leahy explained that the house, as it is now is a summer home, but that next year they plan to make it their permanent residence. The Board Members discussed the plans with Dr. Leahy and particularly questioned him regarding the two foot sideyard setback on one side. The members of the Board discussed the application and the Chairman asked the audience for questions or comments regarding the application. There being no further comments James Van Schoick made a motion to close the hearing seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Margaret Kazenmayer made a motion to draw up a Resolution denying the request for a variance. Motion was seconded by James Van Schoick and carried by the following vote: "Yes" Board Members Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" Griffith.

Application 7-88 - Laurence Lodato - 409 Beachfront - The Board Attorney marked the the exhibits for the file. Mr. Byrnes administered the oath to Mr. Lodato and Attorney John Deppeler was present to represent Mr. Deppeler. Attorney Deppeler questioned Mr. Lodato about the deck he had added to the building and the reason the permit had been denied by the Building Inspector. Mr. Lodato explained that he had hired two men to build the deck and that he assumed they had obtained a permit to do the work. They also advised him that since he was replacing a deck that had been there previously, he did not need a permit. The Board Members reviewed the drawings of the deck with Mr. Lodato.

Mr. Mastrian asked the audience for questions or comments. Mr. J. Swift of 403 Beachfront commented that he had no objection to the deck, he thought it "looked fine". There being no further comments, James Van Schoick made a motion to close the hearing seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Kenneth Schneider made a motion to draw up a Resolution to approve the variance seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Schneider, Mastrian, Pincus, Lyons, Van Schoick. "No" Kazenmayer. The Board Members also recommended that Mr. Lodato should be fined by the Building Inspector for failing to obtain a building permit.

Application 4B-88 (Cont.) - Donald & Ann Jaspan - 91 Main Street - Mr. Jaspan was present for the hearing and his attorney Lewis H. Robertson was present. Mr. Mastrian reviewed the fact that Mr. Jaspan had been given the opportunity of coming back to the Board with some form of a plan for parking facilities for the apartments in his application before the Board made a decision on the application. Mr. Mastrian also made comments regarding the historic value of the building and felt that more attention should be given to the restoration and preservation of the building. Attorney Robertson offered some additional exhibits to be marked for the file. Mr. Jaspan reported on his efforts to locate off-street parking for the apartments. He had been unsuccessful in obtaining off-street parking within walking distance of the building. Mr. Jaspan cited other buildings in the immediate area that have apartments but no off-street parking.

Mr. Jaspan also referred to his survey of the available parking spaces in the immediate area of his building and their availability and use during the week and during weekends. Mr. Robertson informed the Board that two surveys were done, one in the summer and one in the winter charting the availability of parking spaces seven days a week. Mr. Mastrian asked Mr. Jaspan if he had contacted Chief LaVance regarding parking permits for overnight parking. He advised the Board that he had discussed it with the Police and that it was possible for a tenant residing in Manasquan to secure a permit.

The Board Members discussed some of their concerns with fire safety with Mr. Jaspan and he explained some of his limitations regarding the exterior of the building but that the interior would meet the fire safety code requirements. The Board also expressed concern that the exterior renovations were really not a restoration preserving the historic value of the building, but really just token renovations.

Attorney Robertson made comments on the problem of parking and the new parking Ordinances that had been adopted during the past year. He also made comments about affordable housing in Manasquan and summed up his case.

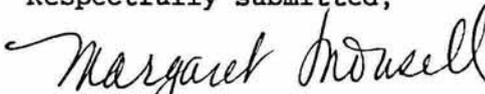
The Board Members discussed the case with Mr. Jaspan and expressed their concerns with parking and density and safety in the building, and restoration.

Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick.

After discussing the application a motion was made to have a Resolution drawn up to deny the application by Robert Griffith. The Motion was seconded by Margaret Kazenmayer, and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Pincus. "No" Mastrian, Lyons, VanSchoick.

There being no further business, the meeting was adjourned at 12:30 a.m.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
SPECIAL MEETING
FEBRUARY 24, 1988
BOROUGH HALL, MANASQUAN, N.J.

A Special Meeting of the Board of Adjustment was called to order at 8:00 p.m. by James Mastrian, Chairman of the Board.

Board Members present: Robert Griffith, Margaret Kazenmayer, James Mastrian, Claudia Pincus, Kenneth Schneider, James Van Schoick, Edward Lyons.

Absent: Patricia Walsh

The Chairman noted that a quorum was present and asked those attending the meeting to join in a salute to the flag. Mr. Mastrian announced that this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Attorney William Byrnes administered the oath of office to a new member of the Board, Edward Lyons.

Resolution 29-87 - Thomas Trezza - Third Avenue was read by the Board Attorney. There being no objections on the part of the Board Members, a motion was made to approve the Resolution by Kenneth Schneider and seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 4B-88 - Donald & Ann Jaspan - 91 Main Street

Mr. Donald Jaspan was present and Mr. Jaspan's Attorney Mr. Robert Levy was present. The Board Attorney marked new evidence that would be added to the file. Mr. Jaspan was submitting a new application for eight apartments on the second and third floor of his building. The Board Attorney administered the oath to Mr. Jaspan. Mr. Mastrian asked Mr. Jaspan to explain his plans to the members of the Board. Mr. Jaspan explained his plans for the apartments, the fire safety precautions that would be taken to satisfy the code, plans for the exterior of the building and presented a survey of parking available in the area of his building. The Board Members questioned Mr. Jaspan regarding the above testimony and discussed these issues with both Mr. Jaspan and Attorney Levy.

After a lengthy discussion regarding parking facilities the Board Attorney suggested a five minute recess. Kenneth Schneider made a motion for a five minute recess seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. "No" none.

The meeting reconvened in five minutes and the Chairman asked for a roll call.

Present: Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. Absent: Patricia Walsh.

James Van Schoick made a motion that a time limit for this meeting be set and that the meeting be closed at 11:00 p.m. The motion was seconded by Claudia Pincus and carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. "No" none.

Mr. Jaspan presented three different proposals for work on the exterior of the building that were marked for the file, and Mr. Jaspan explained his plans to refurbish and restore the building.

The Chairman of the Board asked the audience if there were any questions for Mr. Jaspan or Mr. Levy on the testimony that had been given thus far and there were none.

Ms. Beatrice Kissner, a licensed real estate agent and broker from the Weichert Real Estate Office in Ocean Township was sworn in by the Board Attorney to testify for Mr. Jaspan. Ms. Kissner testified regarding the need for apartments to rent in Manasquan and also regarding the availability of parking spaces. No one from the audience questioned Ms. Kissner regarding her testimony.

Mr. Mastrian asked the audience for any statements relative to this application.

Joseph Carelich, of Elizabeth, New Jersey stated that he always rented during the summer months in Manasquan, and these apartments would provide him with a place for him to rent with his father all year, the rents being reasonable and within their means. He felt this was a positive plan for people looking for year round dwellings to rent.

Attorney Levy gave a summation of the application and respectfully asked the Board to look with favor on the application.

James Van Schoick made a motion to close the public hearing seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. "No" none. Members of the Board discussed their feelings regarding the application and expressed their concerns about the density, parking problems particularly in the summertime, fire safety and the impact on the business people in town.

The Chairman of the Board advised Mr. Jaspan and Mr. Levy that although the concept of the plan was acceptable, the parking was a concern of the Board. He asked if perhaps they could use some creativity in coming up with an answer to this problem.

Mr. Levy & Mr. Jaspan took a five minute recess to discuss Mr. Mastrian's suggestion.

The meeting was convened after five minutes and Mr. Mastrian asked for roll call.

Present: Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. Absent: Walsh.

Mr. Levy asked the Board to continue the hearing at the next regularly scheduled meeting on March 16, 1988 to give them the opportunity to present another proposal and they would waive the time limit on the application.

Kenneth Schneider made a motion to continue the hearing at the next regular meeting March 16, 1988 seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. "No" none.

Mr. Mastrian asked the Board Members to do site inspections on the three new applications that will be heard at the March 16, 1988 meeting to expedite the applications within the time limit for hearing these applications.

James Van Schoick asked the members of the Board if anyone had any objections to his signing the plot plan for the Avon Hotel Corporation project. All members agreeing that there was not much they could do about any objections to the project, it was decided that Mr. Van Schoick should sign the plot plan, since the Borough Engineer had also approved and signed it.

Kenneth Schneider made a motion to adjourn the meeting seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Lyons. "No" none.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

WORK SESSION

Manasquan Board of Adjustment
April 20, 1988

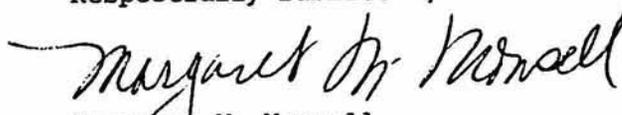
A Work Session Meeting of the Manasquan Board of Adjustment was held in the Council Chambers, Borough Hall at 7:30 p.m. with the Chairman, James Mastrian presiding. Board members present were: Robert Griffith, Margaret Kazenmayer, James Mastrian, Claudia Pincus, James Van Schoick, Edward Lyons. Absent: Patricia Walsh.

The Board Members discussed a letter received from Attorney Lewis Robinson representing Donald & Anne Jaspan. Mr. Jaspan was requesting that before the final vote on the Resolution denying his application before the Board, he be allowed to reopen the hearing and amend his application. He wanted to amend the application by deleting three apartments on the third floor from the plans that had been submitted with eight apartments, thus reducing the need for six parking spaces. The Board Members discussed Mr. Jaspan's request and the Board Attorney explained the options open to the Board in dealing with this request. All of the members agreed that if Mr. Jaspan wanted to amend his application he should submit a new application and be placed on the regular agenda. The members felt that Mr. Jaspan had been given ample opportunity to present his case and that the Resolution should be voted on at the Regular Meeting as scheduled.

The Board also discussed a request for an early hearing from the BPOE Lodge 2534.

There being no further business to discuss, the meeting was adjourned.

Respectfully submitted,


Margaret M. Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
APRIL 20, 1988
BOROUGH HALL, MANASQUAN, N.J.

The Regular Monthly Meeting of the Board of Adjustment was called to order at 8:00 p.m. by James Mastrian, Chairman of the Board.

Roll Call: Present: Robert Griffith, Margaret Kazenmayer, James Mastrian, Claudia Pincus, James Van Schoick, Edward Lyons, Christopher Trafford.

Absent: Patricia Walsh

The Chairman noted that a quorum was present and asked those attending the meeting to join in a salute to the flag. Mr. Mastrian announced that this was an Open Public Meeting held in accordance with the Open Public Meetings Act of 1975 and had been published according to law.

Robert Griffith made a motion to close the meeting no later than 11:00 p.m. seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Christopher Trafford was sworn in as an alternate member of the Board of Adjustment by the Board Attorney, William Byrnes.

The Board Attorney read a Resolution honoring Leonard D. Sullivan, Jr. for his years of service on the Board of Adjustment.

James Van Schoick made a motion to approve the minutes of the previous meeting as submitted by the Secretary, seconded by Claudia Pincus. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Attorney Byrnes read Resolution 1-88 - William Lawless - 568 Pike Avenue - approving the application. There being no questions or comments on the Resolution, a motion was offered by Margaret Kazenmayer to approve the Resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

The Board Attorney read Resolution 3-88 - Alphons & Kathleen Kainer - 111 Beachfront - denying the application. There being no questions or comments on the Resolution, Robert Griffith made a motion to approve the Resolution seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Kazenmayer, Pincus, Lyons, Van Schoick. "No" none.

Attorney Byrnes read Resolution 4A-88 - Joseph Sullivan - 25 Captain's Court - approving the application. Mr. Sullivan presented a new plan for placement of the house on the property at the request of the Board Members, however, on reviewing the plan it was discovered that it was still not quite correct. Kenneth Fortier the Attorney representing Mr. Sullivan corrected the plan and had Mr. Sullivan initial it for the record. Mr. Griffith also requested that the Resolution state that the loft on the third floor would be used as a loft and storage space only, not as living quarters. This was agreed to by the applicant and the Board Members and the Resolution was amended by the Board Attorney. James Van Schoick made a motion to approve the amended Resolution subject to the plans submitted and corrected this evening. Motion was seconded by Robert Griffith and carried by the following vote: "Yes" Board Members Griffith, Mastrian, Kazenmayer, Pincus, Lyons, Van Schoick. "No" none.

Resolution 6-88 - Eugene & Lucy Leahy - 475 Long Avenue was read by Attorney Byrnes denying the application. There being no questions or comments regarding the Resolution a motion was offered by James Van Schoick to approve the Resolution seconded by Edward Lyons. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Kazenmayer, Pincus, Lyons, Van Schoick. "No" none.

Resolution 7-88 - Lawrence Lodato - 409 Beachfront was read by Attorney Byrnes approving the application. There being no questions or comments regarding this Resolution a motion was made to approve the Resolution by James Van Schoick and seconded by Claudia Pincus. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Pincus, Lyons, Van Schoick. "No" Kazenmayer.

4B-88 - Donald & Ann Jaspan - 91 Main Street. The Chairman recognized Mr. Jaspan and his attorney Mr. Lewis Robertson and acknowledged the fact that Mr. Robertson had sent a letter requesting that the Board reopen the hearing on this application before the final vote on the Resolution. Mr. Mastrian advised Mr. Jaspan and Mr. Robertson that the request had been discussed at the Work Session prior to the Regular Meeting and the Board agreed unanimously that Mr. Jaspan had been given sufficient opportunity during the hearings to modify his application, and, if Mr. Jaspan wished to change the application, he would have to make a new application and placed on the agenda in the future. Attorney Byrnes then read the application denying the application. There were no further questions or comments and Robert Griffith made a motion to approve the Resolution seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 5-88(Cont) - Thomas Haring - 285 Beachfront - Mr. & Mrs. Haring were present for the hearing and also their attorney Joseph P. LaSala. Mr. Mastrian noted that a site inspection had been done by the Board Members and asked for comments from the Board. There were no comments and Attorney LaSala summed up the case for the applicant.

Mr. Mastrian asked for comments from the audience. Mr. Robert Ernst, 285 First Avenue, Mr. Douglas McGilvry, 282 First Avenue and John Dean of 283 First Avenue voiced objections to the application. Mr. Haring responded to the objections expressed by these people owning neighboring property especially denying allegations that he had a basement apartment in his beachfront home.

Mary Birkhead, 309 E. Main Street, expressed the hope that the Board Members would judge each application on its own merits and Mr. Mastrian assured her that the Board was making every effort to do so.

The Board Attorney asked if Mr. Haring had acquired a letter from American Timber Company regarding any restrictions that might be in his land lease regarding this project. Mr. Haring replied that he had been in touch with them but had not yet received the letter. There being no further discussion, Mrs. Kazenmayer made a motion to close the hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

The Board reviewed the application and a motion was made by Margaret Kazenmayer to deny the application seconded by Edward Lyons. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick. "No" none.

Application 7A-88 - Walter & Susan Dreyer - 15 Riddle Way - Mr. & Mrs. Dreyer were present and Mr. John Carton, the Attorney representing the Dreyers, was present. The Chairman, Mr. Mastrian, explained the reason for rehearing the application and noted that a site inspection had been done. The Board questioned Mr. & Mrs. Dreyer regarding their plans. Mr. Carton summed up the reasons for reopening the hearing on the application and presented his request for relief from the requirement of having to put the house on pilings if the alterations exceeded 50 % of the square footage of the existing building. The Board again reviewed the plans with the applicants.

John Miskinis, 80 Mohegan Road, Builder, was sworn in and testified regarding the alterations he planned to do on the building.

Mr. Mastrian asked for questions or comments from the audience. Sandra Way, 149 First Avenue offered favorable comments on the application.

There being no further comments or discussion on the application, Mrs. Kazenmayer made a motion to close the hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick, Trafford. "No" none. The Board discussed the request for relief from the flood zone restrictions in the application.

Robert Griffith made a motion to draw up a Resolution approving the application seconded by James Van Schoick. Motion carried by the followed vote: "Yes" Board Members Griffith, Lyons, Van Schoick, Trafford. "No" Kazenmayer, Mastrain, Pincus.

Board Member Margaret Kazenmayer questioned whether the vote was for a use variance or a hardship variance. If they were voting on a use variance, the Resolution would need five affirmative votes. Mr. Carton and Mr. & Mrs. Dreyer were asked to wait until this issue could be straightened out. The Board Attorney was asked for his opinion on the issue. Mr. Carton stated that the Board was on this occasion only addressing the flood zone problem which would be a hardship variance. Mr. Byrnes asked Attorney Carton to submit to him his reference for his opinion and then he would research this and advise the Board accordingly.

Application 8-88 - Geraldine Finan/Kenneth Hartranft - 426 First Avenue - Attorney Byrnes marked the file and noted that John H. Deppeler represented the applicants. Ms. Finan and Mr. Hartranft were administered the oath by the Board Attorney. Mr. Deppeler questioned the applicants regarding their application and their plans for location and operation of the "Deli-Sub Shop". They explained the parking facilities on the property and in the area. The plan was to have a walk in and pick up business only and no tables for service.

There will be no major changes in the exterior of the building only the interior will be renovated according to code. Access would be only from 1st Avenue.

Chairman, James Mastrian asked for questions that anyone in the audience might like to ask of the applicants.

Dorothy M. Sage, 425 Beachfront, asked about parking facilities.

Attorney Kevin Thomas, representing Lawrence Ross and Michael Parzirole asked if this would be considered a fast food establishment.

Owen Brown, 93 Cowart Avenue, Manasquan, was sworn in by the Board Attorney and testified as the prospective tenant explaining his plan for operating the "Deli-Sub Shop". He anticipates having only one other employee besides himself operating the shop. Mr. Owen presented letters from the Monmouth County Board of Health giving approval for his plan of operation of the "Deli-Sub Shop" plus Hot Dog Cart as submitted to them. These letters were marked for the file and read into the record by the Board Attorney. Hours of operation would be approximately 9:00 a.m. to 7:00 p.m.. There would be no lavatory facilities in the building. He had made no provisions for public garbage cans.

Attorney Kevin Thomas questioned whether the application should have been presented to the planning Board for what he termed a "conditional use".

Attorney Depeler explained his interpretation of the Code relating to this application.

Mr. Arlington Bensel III, 401 Laurel Avenue, Brielle, a previous owner of the property in question, gave testimony regarding the history and prior use of the building, and water and sewer hook-ups on the property.

Mr. Mastrian asked for any questions from the audience regarding testimony that had been given. Attorney John Wooley, representing Mory Berlin, 422 First Avenue, questioned Mr. Brown regarding the equipment he planned to use and the types of containers he planned to use in dispensing drinks and food.

Dr. Sage of 425 Beachfront questioned how Mr. Brown was going to handle garbage generated by this "Deli-Sub Shop"

Attorney Kevin Thomas questioned Mr. Bensel regarding his plans for the building in 1973 and whether he had applied for a variance. Mr. Bensel replied that he had started the application but because of his father's ill health, never followed it through.

Robert Griffith made a motion to have a site inspection on Saturday, April 23rd 1988 at 9:00 a.m. seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick, Trafford. "No" none.

James Van Schoick made a motion to continue the hearing on May 18th, 1988 and the motion was seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick, Trafford. "No" none. The applicants and Mr. Deppeler to waive the time limits on the case.

Mr. Kevin Thomas asked for a clarification regarding whether or not the application should be presented to the Board of Adjustment or the Planning Board.

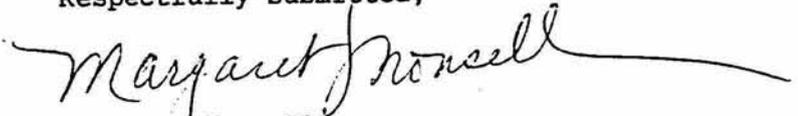
Attorney Byrnes agreed to research this and settle the problem prior to the next meeting.

The Board Members discussed Mr. & Mrs. Dreyer's application and whether or not it was a use or hardship variance. The Board also agreed that the applications presented to the Board should state more clearly whether or not they were use or hardship variances giving the Board Members the information they need to decide the cases.

Margaret Kazenmayer, at the request of the Building Inspector, asked the Board for permission to schedule a hearing on a case that has a problem with a basement in the flood zone. Mr. Fitzsimmons, Borough Attorney, advised that the case be heard as soon as possible. Mr. Noel Hood advised the Board regarding Flood Insurance Regulations.

James Van Schoick made a motion to adjourn the meeting seconded by Robert Griffith. Motion was carried by the following vote "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Lyons, Van Schoick, Trafford. "No" none.

Respectfully submitted,


Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
February 17, 1988
Borough Hall, Manasquan, N.J.

The Regular Monthly Meeting of the Board of Adjustment was called to order at 8:00 p.m. by James Mastrian, Chairman of the Board.

Roll Call: Present: Robert Griffith, Margaret Kazenmayer, James Mastrian, Claudia Pincus, Kenneth Schneider, James Van Schoick, Patricia Walsh.

Absent: Samuel Yatter

The Chairman noted that a quorum was present and asked those attending the meeting to join in a salute to the flag. Mr. Mastrian announced that this was an Open Public Meeting held in accordance with the Open Public Meeting Act of 1975 and had been published according to law.

Margaret Kazenmayer made a motion to accept the minutes of the Special Meeting held on January 20, 1988 as submitted by the secretary of the Board. The motion was seconded by Robert Griffith and carried by the following vote: "Yes" Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" None. Abstain: Schneider, Walsh.

Margaret Kazenmayer made a motion to approve the minutes of the Regular Meeting, January 20, 1988, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" none. Abstain: Schneider, Walsh.

Attorney William Byrnes read a resolution recognizing Evelyn Wagner, former Board Member, for her contribution of service on the Board of Adjustment. James Van Schoick made a motion to approve the resolution seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Walsh. "No" none.

Attorney William Byrnes read a resolution recognizing C. Raymond King, former Chairman of the Board for his contribution of service to the Board of Adjustment. James Van Schoick made a motion approve the Resolution seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Walsh. "No" none.

The Chairman explained that the agenda for this meeting was unusual, in that, cases had been carried from the last meeting due to the fact that there were not enough members present at the last meeting to vote on these cases. Four members of the Board had resigned, however, Samuel Yatter, had graciously agreed to attend this meeting to vote on these cases before his resignation became effective. The Secretary was asked to phone Mr. Yatter to check to see if he would be at the meeting, which she did and reported that he would be there shortly.

The Board decided to go on with the meeting until Mr. Yatter arrived and Mrs. Walsh advised the Board for the record that she had listened to the tapes of the meetings she had missed. Mr. Mastrian decided to proceed with the hearing on Application 29-87, Thomas Trezza - Third Avenue.

Mr. Trezza was present and his Attorney Amy Warner. There was discussion of the legal process for this application with the opinions of the Board Attorney and the Applicant's Attorney presented for the record. Attorney Warner advised the Board that she was prepared to proceed with a new application, however, they would be using the original set of plans that had been presented with the first application. Ms. Warner called Mr. Trezza to testify regarding the background of the case and his plans for the building. He advised the Board that a variance had been granted for the building in September of 1985 with a zero side yard setback. He did not proceed with building the house because he was not aware there was a time limit on the variance and he was saving more money to build the house. Mr. Trezza explained his present plans for building his home. Mr. Trezza explained that he planned to center the house on the lot and have a driveway in the front of the house with room for two cars to the right of the house, the rest of the area in front of the house would be landscaped with shrubs and stone. Board Member, Mrs. Walsh advised the Board she would be abstaining from the vote on this application. The Chairman asked her to read a letter submitted by Mr. Walsh and herself, who own the property next to the lot in question for the record, expressing their opposition to the zero side yard setback but having no objection to limited parking in front of the property. The Board agreed that there was no need for another site inspection. Mr. Wood a real estate broker was called by Ms. Warner to testify regarding the effect that the building in question would have on the neighborhood and how this building would relate to the rest of the homes in the neighborhood. Mr. Wood testified that there are a mix of types of homes in this area and that a home that had recently been built had a parking area for six cars in the front of the building. He felt that this building that Mr. Trezza planned to build would not be a detriment to the area. Mr. Trezza was asked to describe his plans for the landscaping of the property by the Chairman. Mr. John Kobus, 229 Third Avenue, stated that he perceived no problem with centering the house on the lot with parking in the front rather than having the house built with zero side yard set back. Mr. Kobus owned the property adjacent to Mr. Trezza's.

Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none. Abstain: Walsh

The Board members discussed the testimony given and plans as submitted, and the concensus of opinion was that Mr. Trezza could not be denied his right to build on the lot and if the present plans were acceptable to the adjacent property owners this would be acceptable to the Board.

Kenneth Schneider made a motion to draw up a favorable resolution with the landscaping in the front of the property defined in the resolution, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick.

"No" none. Abstain: Walsh.

Ms. Warner requested that since there would be a Special Meeting of the Board on the 24th of February, could it be possible to have the resolution read at that meeting. Mr. Trezza was willing to pay part of the cost of the meeting and this would allow him to get started on building the house as soon as possible. The Board Attorney agreed to do the Resolution for that meeting.

Mr. Yatter had joined the meeting and Mr. Mastrian thanked Mr. Yatter for attending this meeting to make it possible to vote on the cases that had been heard previously.

Roll Call: Present: Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick, Walsh and Yatter.

Absent: None.

Resolution 24-87 - Alan Steiner/Bianca Franchi - 27 Beachfront

The Board Attorney read the Resolution. Mr. Alton Neff, attorney representing Dr. Steiner & Bianca Franchi was present. There being no further discussion regarding the Resolution, Kenneth Schneider made a motion to approve the Resolution seconded by Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" Robert Griffith.

Resolution 27-87 - Richard Mueller - 79, 81, 83 Beachfront

The Board Attorney read the Resolution. There being no further discussion, James Van Schoick made a motion to approve the Resolution seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" none.

Resolution 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Attorney Byrnes read the Resolution. Mr. Mastrian asked for a correction in the last paragraph of the first page and Mr. Dreyer asked that his address be corrected. There being no further discussion, Robert Griffith made a motion to approve the Resolution seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Pincus, Schneider, Van Schoick, Walsh, Yatter, Griffith. "No" Kazenmayer, Mastrian.

Application 25-87 - Chicant Corporation - 165 Beachfront

Attorney Amy Warner represented Chicant Corp. Ms. Warner requested that if the variance should be denied and they were unable to get the work done before the rental season, would it be possible to get a temporary C O to allow them to rent the house for the summer season and do the work in the fall. Ms. Warner was advised that the Board could not give them permission to do this. The Building Inspector would have to determine if the building was safe and then would decide whether a temporary C O could be issued. There being no further discussion, Samuel Yatter made a motion to draw up a resolution to deny the variance, seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Schneider, Van Schoick, Walsh, Yatter. "No" none.

This concluded the portion of the meeting that Mr. Yatter and Mrs. Walsh were needed to vote on the pending applications. The Chairman expressed his thanks to Sam Yatter and Mrs. Walsh and accepted Mr. Yatter's resignation with regret. Mr. Yatter and Mrs. Walsh left the meeting.

Application 1-88 - William Lawless - 568 Pike Avenue

Mr. Lawless was present for the hearing. A site inspection had been done on the Saturday following the January 20, 1988 meeting. The Board Members discussed the deck with Mr. Lawless and suggested that the deck be redone extending it across the back of the house and making it narrower to meet the code regarding rear setback. There was also discussion regarding the penalty for having constructed the deck without a permit. Mrs. Kazenmayer informed the Board that the fine would be imposed after the hearing. The Board could recommend a fine and the building inspector would impose the fine. Mr. Ralph Travisano and Miss Kathy Christian of 565 Trout Avenue, members of the audience and neighbors of Mr. Lawless voiced their objections to the width of the deck. They felt this was setting a precedent for the other residents in that neighborhood and also was projecting the idea that if you put up the deck without a permit and were willing to pay the penalty, this would be the way to go to evade the regulations in the zoning code. Mr. Lawless stated that he felt that the improvements to his home enhanced the look of his home and thus the neighborhood. Mr Travisano voiced apprehension that the deck would eventually become a room. There being no further discussion, Margaret Kazenmayer made a motion to close the public hearing, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

The Board Members discussed their feelings regarding the course of action they should recommend in a resolution. Mr. Mastrian asked Mr. Lawless if he wished to waive the time limit and postpone the vote on a resolution until the next meeting, giving him the opportunity of having more members voting or if he chose to change his application to meet the suggestions of the members regarding the width of the deck. Mr. Lawless agreed to do this. A motion was made to continue the hearing at the next meeting, March 16, 1988 by Kenneth Schneider seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 2-88 - Harry A. & Margaret McEnroe - 52 Second Avenue

Mr. McEnroe was present for the hearing. A site inspection had been done on Saturday January 20, 1988. Mr. McEnroe explained his plans for building front and back decks to replace porches that had deteriorated. He also planned to make other exterior renovations with new siding and windows. The Board Members discussed the plans. Mr. Mastrian asked for questions from the audience. There being no questions, Mr. Mastrian asked for comments from the Audience. Mrs. Kelly, a neighbor of Mr. McEnroe's, asked the Board to vote favorably on the variance.

There being no further discussion, Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

A motion to draw up a favorable resolution was offered by James Van Schoick seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" none. Abstain: Schneider.

Application 4-88 - William & Adrienne Rogers - 30 Rogers Avenue

Mrs. Rogers was present. A site inspection was done on Saturday, January 20, 1988. The Board Members discussed the application and there being no comments from the audience a motion was made to close the hearing by James Van Schoick seconded by Kenneth Schneider. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Margaret Kazenmayer made a motion to draw up a favorable resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick. "No" none. Abstain: Schneider.

Mrs. Rogers requested that the Resolution be memorialized. A motion was made by James Van Schoick seconded by Claudia Pincus to have the Resolution memorialized. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 3-88 - Alphons & Kathleen Kainer - 111 Beachfront

Mr. Kainer was present and the oath was administered by the Board Attorney. Mr. Byrnes marked the file. Mr. Kainer explained his plans to the Members of the Board. The plans called for removing an existing garage and building a new four car garage with one apartment above it. He has not rented his house in the past and plans to use the apartment for his own family with no intention of using this space for a rental unit. Mr. Kainer reported on research he had done regarding the amount of structures on lots in the vicinity of his house and also parking provisions in his neighborhood, in an attempt to prove there would be no adverse impact on the area if he was allowed to build this structure. The Board Members agreed that a site inspection should be done before they could comment on the application. Kenneth Schneider made a motion that a site inspection be done on Saturday, February 20, 1988 at 9:00 a.m. and continue the hearing at the March 16th, 1988 meeting. Motion was seconded by Robert Griffith and carried by the following vote: "Yes" Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Application 4A-88 - Joseph Sullivan - 25 Captain's Court

Mr. Sullivan and his attorney, Kenneth Fortier were present for the hearing. The Board Attorney administered the oath to Mr. Sullivan and marked the file. Mr. Fortier explained the problem that existed that had made it necessary to apply for a variance particularly with a boat slip that is on Mr. Sullivan's lot that he did not want; but had been forbidden to change by the DEP. Mr. Sullivan gave testimony regarding his appeal to the DEP and the result of his request and presented the letter he had received from the DEP in evidence. Mr. Sullivan described the structure he intended to build and how he planned to locate it on the property to the best advantage. The problem of having to start the setback in the rear at the boat slip caused the structure to be placed in a poor location and therefore Mr. Sullivan was applying for the variance requesting permission to violate rear and sideyard setbacks. Mr. Van Schoick requested that Mr. Sullivan stake out the house to make it possible for the Board Members to visualize how the house would be located on the lot when they do a site inspection.

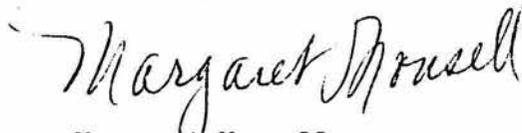
James Van Schoick made a motion that a site inspection be done on Saturday, February 20, 1988 at 9:30 a.m. and continue the hearing at the March 16th, 1988 meeting seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Mr. Mastrian expressed concern regarding the delay in hearing applications in excess of 120 days. The agenda is booked through May 1988 and he felt that perhaps something should be done to speed up the hearings. Mr. Mastrian asked the Board Attorney to research this matter for the next meeting.

Mr. Mastrian also brought up the problem of Board Member attendance. He felt that if a member missed two consecutive meetings he should become an alternate and the alternate be moved up to a regular member of the Board. If a member missed three consecutive meetings perhaps stronger action should be taken. He asked the members to consider this before the next meeting in March. Mr. Mastrian felt that this also slows down the agendas since there are times the voting is postponed for lack of members eligible to vote. He asked that the Board Members think about this and discuss it at the next meeting.

A motion was made to adjourn the meeting by Kenneth Schneider seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, Van Schoick. "No" none.

Respectfully submitted,



Margaret Monsell
Secretary

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
JANUARY 20, 1988
BOROUGH HALL, MANASQUAN, N.J.

The regular Monthly Meeting of the Board of Adjustment was called to order at 8:00 p.m. by James Van Schoick, Senior Member, Chairman Pro tem.

Roll Call: Board Members present: Robert Griffith, James Mastrian, James Van Schoick, Samuel Yatter, Margaret Kazenmayer, Claudia Pincus. Absent: Kenneth Schneider, Patricia Walsh, Leonard Sullivan.

Attorney Peter Ragan administered the Oath of Office to Margaret Kazenmayer, and Claudia Pincus as alternates to the Board and James Mastrian as a regular member of the Board of Adjustment.

The Chairman noted that a quorum was present and asked those attending the meeting to join in the salute to the flag. Mr. Van Schoick announced that this was an Open Public Meeting held in accordance with the Open Public Meeting Act of 1975 and had been published according to law.

The Chairman asked for a motion to approve the nomination of James Mastrian as Chairman of the Board. A motion was made by Margaret Kazenmayer to approve the nomination and seconded by James Van Schoick. Motion carried by the following vote: "Yes" Board Members Griffith, Van Schoick, Yatter, Kazenmayer, Pincus. Abstain: James Mastrian. "No" none.

Attorney Ragan read the Resolution for the appointment of James Mastrian as Chairman of the Board of Adjustment. A motion was made by Margaret Kazenmayer seconded by James Van Schoick to approve the Resolution. Motion carried by the following vote: "Yes" Board Members Griffith, Van Schoick, Yatter, Kazenmayer, Pincus. Abstain: James Mastrian. "No" none.

James Van Schoick made a motion to approve the nomination of Robert Griffith as Vice Chairman of the Board of Adjustment seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Mastrian, Van Schoick, Yatter, Kazenmayer, Pincus. Abstain: Robert Griffith. "No" none. Attorney Ragan read the Resolution designating Robert Griffith as Vice Chairman of the Board of Adjustment. A motion to approve the resolution was offered by Margaret Kazenmayer seconded by James Van Schoick. Motion carried by the following vote: "Yes" Mastrian, Van Schoick, Yatter, Kazenmayer, Pincus. Abstain: Robert Griffith. "No" none.

Chairman Pro tem, James Van Schoick, turned the gavel over to James Mastrian the newly appointed Chairman of the Board of Adjustment.

Attorney Ragan read Resolutions "C" with the 1988 Meeting Dates and "D" designating the official newspapers for the Board of Adjustment. A motion was made to approve these resolutions by Margaret Kazenmayer seconded by Robert Griffith. Motion carried by the following vote: "Yes" Board Members Griffith, Mastrain, Van Schoick, Yatter, Kazenmayer, Pincus. "No" none.

Attorney Ragan read Resolution "E" appointing William Byrnes Esq. as Attorney to the Board of Adjustment and Resolution "D" appointing Margaret Monsell as Secretary to the Board of Adjustment. A motion was offered by Samuel Yatter to approve the Resolution and seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Kazenmayer, Pincus. "No" none.

The Chairman of the Board, James Mastrian, introduced Mr. William Byrnes and Mrs. Monsell to the audience and also introduced the new members of the Board, Margaret Kazenmayer and Claudia Pincus.

Mr. Mastrian asked for a motion to approve the minutes as submitted by the Secretary to the Board. James Van Schoick offered the motion seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Resolution 24-87 - Alan Steiner/Bianca Franchi - 27 Beachfront

Attorney Ragan read the resolution. The applicant's attorney, Alton H. Neff was present and was given the choice of postponing the vote on the Resolution until the next meeting since the use variance needed five votes and there were only four members of the Board present that had heard the previous testimony at the hearings. Mr. Neff opted to postpone the vote on the Resolution until the February 17, 1988 meeting and waived the time limit on the application. Samuel Yatter made a motion to postpone the vote on the Resolution until the February 17, 1988 meeting seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Resolution 27-87 - Richard Mueller - 79,81,83 Beachfront

Attorney Ragan read the resolution. Since there were only four members present that could vote for the Resolution and five votes were needed, Samuel Yatter made a motion that the vote be postponed until the next meeting, February 17, 1988, seconded by James Van Schoick. Motion carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Application 25-87 - Chicant Corporation - 165 Beachfront

Kevin Thomas, Attorney for the Chicant Corporation was present. Mr. Thomas presented the Board with a letter from FEMA with a determination of the flood zone in regard to the building in question. Mr. Thomas summed up his case for the applicant and restated evidence that had been presented, that the renovations were less than 50% of the fair market value of the structure and therefore pilings would not be required. Secondly, he felt that the variance could be granted on the basis that their Engineer had testified that the structure was safe and had been supported by the same foundation since 1930. He cited that a variance had been granted Walter Carlson for relief from virtually the same problem, the hardship being the cost of moving the building. He felt that this was a similar request since it would be an economic hardship to move the building and put it on pilings.

The Board replied that Mr. Carlson's home was on pilings and not in a V6 flood zone. A variance could not be granted for financial hardship.

Attorney Ragan advised that the Board had not had the letter from FEMA to review before the meeting and until the letter could be reviewed, a vote would be difficult. Mr. Thomas agreed to postpone the decision until next meeting. Robert Griffith made a motion to continue the hearing at the February 17, 1988 meeting.

Mr. Noel Hood 161 Beachfront, asked to be heard since he would be unable to attend the next meeting. The motion was withdrawn and Mr. Hood given permission to address the Board. Mr. Hood advised the Board that in February 1987, the applicant had been advised of the problem. However, they had proceeded with the renovations. Mr. Hood stated that the house was 760 square feet and according to the BOCA Code should cost \$60 a square foot to build a new house. This would bring the cost of a new house this size at \$45,780, therefore the contract for \$84,000 did indeed exceed 50% of renovations even though renovating would cost more than a new building. He also argued the point that the support system was adequate. He advised that if a variance was granted, the town could be risking the loss of Federal Flood Insurance.

Mrs. Ida Hood, 161 Beachfront, questioned the testimony given regarding the fair market value of the house. She advised that only a certified appraiser's evidence would be accepted in a court of law.

A motion to continue the hearing at the next meeting, February 17, 1988, was offered by James Van Schoick, seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Mr. Thomas advised that he had already waived the time limit and that he would send someone in his place since he would be away at that time.

Application 28-87 (Cont.) - Walter & Susan Dreyer - 15 Riddle Way

A site inspection had been done individually by members of the board. The Board Members questioned Mr. Dreyer about the use of the extra space, their concern being the density at the beach. They were also concerned about the fact that once the variance had been granted, if the house were sold the variance would go with the house to the next owner. There being no further comments by the audience, Samuel Yatter made a motion to close the hearing, seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Robert Griffith made a motion to draw up a favorable Resolution seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, Van Schoick, Yatter. "No" Mastrian.

Application 29-87 (Cont.) - Thomas Trezza - Third Avenue

Mr. Thomas Trezza and his attorney Ms. Amy Warner were present. A letter from Ms. Warner had been received the afternoon of the meeting and distributed to the Board Members at the meeting. The Chairman of the Board asked Ms. Warner if Mr. Trezza had been able to get together with the owners of the property to the north and south of his property and work out an equitable solution to his problem. Ms. Warner advised that they had not been able to contact the property owners and that the plans submitted this evening were the plans that had been drawn up to carry out the recommendations of the Resolution approved at the hearing in 1985. They were attempting to revive the previous Resolution since there had been no change in the Zoning laws and no change in the circum-

stances that existed when the first variance was granted.

The Chairman advised Ms. Warner that the members of the Board had changed and they could not be expected to approve the opinions of other board members and be expected to vote the same way. Also, there were now objections to the application before the Board.

Ms. Warner explained that they were presenting the case as they were because they had done what they had been instructed to in the previous Resolution and but for the fact that the time limit ran out on the variance, the house would have been constructed by now as approved. She felt that Mr. Trezza should not be penalized for the fact that he did not know there was a time limit on the variance and due to financial constraints had not been able to construct the building.

The Board suggested that either the house be made perhaps two feet narrower or be centered on the lot. Attorney Ragan instructed the Board on their options in regard to hearing the case.

Ms. Warner advised the Board that her client had no objections to moving the house back on the lot to make room in the front for a driveway approaching the front of the house.

Ms. Warner was advised by the Attorney to the Board and the Board Members that she should present a new application with plans that would be acceptable to the Board.

A motion was made by Samuel Yatter to continue the hearing at the February 17th, 1988 meeting seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter. "No" none.

Application 1-88 - William Lawless - 568 Pike Avenue

Attorney Ragan marked the file and administered the oath to William Lawless, 49 Berman Way, Middletown, N.J. Mr. Lawless was asked by the Chairman to explain his plans to construct the deck. Mr. Lawless explained that he was adding six feet on to an existing eight foot deck. The members of the Board decided to do a site inspection.

Robert Griffith made a motion to do a site inspection and continue the hearing at the February 17, 1988 meeting seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Kazenmayer, Pincus. "No" none.

Mr. Ralph M. Travisano, 351 Franklin Ave., Nutley, with a home diagonally across from Mr. Lawless questioned the size of the deck and asked if the deck was to be added to what was already there. He was advised that the deck that had been started was the deck in question. Mr. Lawless stated that he had started without a building permit and had been stopped by the building inspector. Mr. Travisano lamented the fact that people are building such large houses and decks in spite of the small size of the lots and felt that people should be made to obey the zoning codes.

Kathy Christian, 565 Trout Avenue, questioned whether the variance that Mr. Lawless was applying for was for the deck that existed now. She was assured that this existing deck as drawn in the application would be all that was approved in the variance.

A motion was made by Robert Griffith for a five minute recess seconded by James VanSchoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" none.

The meeting was reconvened by the Chairman after the five minute recess and the Board Members present were: Griffith, Mastrian, Van Schoick, Yatter, Pincus and Kazenmayer.

Application 2-88 - Harry A. & Margaret McEnroe - 52 Second Avenue

Attorney Ragan marked the file and administered the oath to Harry A. McEnroe, 19 Harrison Court, South Orange, N.J. Mr. McEnroe advised the Board that the the plans had been changed and that he only wanted to replace two existing porches with upgraded decks extending the rear deck 3½ feet. The Board Members questioned Mr. McEnroe regarding his plans. The Board Members agreed to do a site inspection at 9:30 Saturday morning, January 23, 1988. James Mastrian made a motion that a site inspection be done and the hearing be continued at the February 17, 1988 meeting seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" none.

Application 4-88 - William & Adrienne J. Rogers - 133 Lake Avenue

Attorney Ragan marked the file and administered the oath to William Rogers, 133 Lake Avenue, Manasquan. Mr. Rogers explained his plans to the Board to build a 9 x 12 ft. deck on the building at 30 Rogers Ave. Mr. Rogers in-laws live in this house. The Board agreed to do a site inspection at 10:00 a.m. Saturday morning, January 23, 1988. Margaret Kazenmayer made a motion to continue the hearing at the next meeting February 17, 1988 and do a site inspection Saturday, January 23, 1988 at 10:00 a.m. seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" none.

Application 22-87 - Donald & Ann Jaspan - 91 Main Street

Mr. Lewis Robertson, Attorney for the applicant and Mr. Jaspan were present. The Board Attorney, Peter Ragan explained the "misunderstanding" between the applicant's attorney, Mr. Levy and himself regarding a phone conversation preceding the last meeting. Mr. Levy contended that he had asked for a postponement and Mr. Ragan understood that Mr. Levy had asked for a dismissal of the application and would then submit a new application. Prior to this meeting Mr. Ragan suggested that Mr. Jaspan notice the public that he would appear before the Board and ask to have the dismissal rescinded and to amend the application to propose whatever new plans they were adding to the prior plans. Mr. Robertson informed Mr. Ragan that they had done as he had instructed. Mr. Robertson explained the background of the problem that existed and that they had attempted to change the plans to eight single bedroom apartments to comply with the request of the Board Members. He confirmed the request submitted in a letter to the Board, dated January 5, 1988 to consider a motion by the applicant to reinstate his application and restore it to the Board's calendar. Mr. Ragan advised the Board Members that this procedure would be proper since there was a misunderstanding between the two attorneys.

The Board Members discussed the course of action in regard to hearing this application and also the fee that would be needed for the application. Eight apartments would require a fee of \$800 and only \$300.00 had been paid for the original application. After discussing all the options Mr. Robertson and Mr. Jaspan agreed to have a new hearing at a Special Meeting on February 24, 1988 and to update the fee for the application by paying \$500 plus the cost of a Special meeting \$275.00.

In the event any other applications are heard on that date, they would share the cost of the Special Meeting.

James Mastrian made a motion to hold a Special Meeting to hear Mr. Jaspan's new application on February 24, 1988 updating the fee for the application by paying \$500 plus the cost of the Special Meeting, \$275. Motion was seconded by Margaret Kazenmayer and carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Pincus, Kazenmayer. Abstain: Yatter. "No" none.

Mr. Robertson requested that the present application be given a new number, rather than having his client submit all new papers since the application was the same. The Board agreed to just give the present application a new number.

James Van Schoick made a motion to authorize William Byrnes to meet with Mr. Ragan to review former applications and have the records turned over to Mr. Byrnes the new Board Attorney. Motion was seconded by Margaret Kazenmayer and carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" none.

Mr. Mastrian asked the members that have been assigned structures to be inspected to meet at 7:30 before the next meeting on February 17, 1988 to discuss the assignments.

Robert Griffith made a motion to adjourn the meeting seconded by James Van Schoick. Motion carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" none.

Respectfully submitted,



Margaret Monsell

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
SPECIAL MEETING
JANUARY 25, 1988
BOROUGH HALL, MANASQUAN, N.J.

Mr. James Van Schoick, Senior Member, Chairman Pro tem, called the meeting to order at 7:00 p.m.

Members present: Robert Griffith, James Mastrian, James Van Schoick, Samuel Yatter, Claudia Pincus, Margaret Kazenmayer. Absent: Kenneth Schneider, Leonard Sullivan, Patricia Walsh.

The Board Members interviewed Mr. William Byrnes, Esq. a candidate for the position of Attorney to the Board of Adjustment.

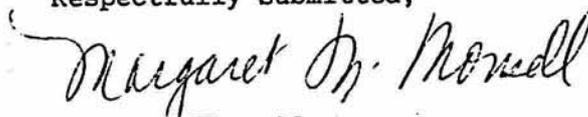
After the interview Mr. Byrnes was advised that he would be notified of the Board's decision later in the evening.

The Members of the Board discussed the two candidates that were favored after previous interviews, Mr. Byrnes and Mr. Joseph Brennan. A motion was made to approve the appointment of Mr. Byrnes by James Mastrian seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Mastrian, Van Schoick, Yatter, Kazenmayer. "No" Pincus.

The Board Members discussed reorganization of the Board. James Mastrian was chosen as Chairman and Robert Griffith as Vice Chairman.

There being no further business a motion was made to adjourn the meeting by Samuel Yatter and seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members, Griffith, Mastrian, Van Schoick, Yatter, Pincus, Kazenmayer. "No" None.

Respectfully submitted,



Margaret Monsell
Secretary