

1980

*Ruth Dillon
ends 12/31/80*

MANASQUAN ZONING BOARD OF ADJUSTMENT - REGULAR MEETING JANUARY 9, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. C. Raymond King, Wm. Miller, Ed Piotrowski, Kenny Schneider, James Van Schoick and James V. Smith

ABSENT: Mr. Russell Neiberlein

Work session began at 7:30 P.M. with discussion of Resolutions before Board.

Meeting was called to order at 8:05 with a roll call, Salute to the Flag, 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 Bill Miller, seconded by Kenny Schneider. Vote yes: Messrs. R. King, W. Miller, E. Piotrowski, K. Schneider and J. VanSchoick. Abstained: Mrs. R. Dillon.

RESOLUTION 7-80 MARTIN KEEFE 191 BEACHFRONT

Resolution 7-80 was read by Peter Ragan, moved by Raymond King, seconded by Kenny Schneider. Vote: Yes: Messrs. R. King, W. Miller, E. Piotrowski, K. Schneider, J. VanSchoick. Abstained: Mrs. R. Dillon.

RESOLUTION 8-80 JOHN DINYOVZSKY DEEP CREEK DRIVE (undersized lot)

Resolution 8-80 was read by Peter Ragan, moved by Kenny Schneider, seconded by Piotrowski, K. Schneider & J. VanSchoick. Abstained: Mrs. R. Dillon. Vote: Yes: Messrs. R. King, W. Miller, E. Piotrowski, K. Schneider & J. VanSchoick.

DIET CENTER 177 MAIN STREET APPLICATION # 17-79

Announcement that the Diet Center asked for a postponement of their application until the February 6, 1980 meeting. Motion was moved by Bill Miller, seconded by Ed Piotrowski. All members voting yes.

APPLICATION 19-79 JOHN DINYOVZSKY 39 DEEP CREEK DRIVE (CELLAR)

Mr. Ragan told Mr. Dinyovszky that the Board required, at the last meeting, for him to give his opinion regarding whether or not a variance could be granted, at all, in this case, in light of Ordinance 1066, which is Ordinance establishing requirements for construction within a flood hazard zone. Mr. Ragan advised Board that in his opinion a variance could be granted; that the Ordinance specifically provides that variances can be granted from its terms;

Bill Miller moved a Resolution to grant the variance, including this Resolution in Resolution 8-80, incorporating as part of the resolution the findings of fact that Mr. Dinyovszky presented before the Board. Seconded by Raymond King. All members voting yes.

*Resolution passed
normalizing 1 January*

MANASQUAN BOARD OF ADJUSTMENT CONTINUED JAN.9, 1980

APPLICATION 16-79 BOYD DAVIS 122 FIRST AVENUE CON'T

Mr. Van Schoick read letter sent by Mr. Davis. Letter along with the revised sketch was marked exhibit A-9.

Mr. Deppler introduced two letters that his law office had received. Mr. Van Schoick read letters into evidence. Letters were sent by: Rose Buckley-127 Beachfront, and Joseph J. Maraziti. Both letters were in favor of the application. No objectors in audience.

Bill Miller moved a motion to draw a resolution in favor of Variance as requested. Seconded by Ruth Dillon. All members voting yes.

LOUIS KESSELL 378 FIRST AVENUE-REOPEN HEARING

Richard Wight representing Mr. and Mrs. Kessell. Resolution 25-79 to reopen hearing was read by Peter Ragan, moved by Kenny Schneider, seconded by Ed Piotrowski. Corrected second line the Resolution number 23-79 and the street address should be 378 First Avenue, block 187 lot 1-377. Motion as corrected and read. All members voting yes.

Mr. Wight proposed that the structure be centered on property and the top part of house be shrunk to 3 feet and a fraction of an inch 1. feet high.

OBJECTORS: Mrs. Shirley Swallow, 374 First Ave., Manasquan, N.J.
Mrs. Louise Voegler, 380 Beachfront, Manasquan, N.J.

Raymond King moved a motion to draw a favorable resolution for the Kessells!, considering all the facts. Seconded by Kenny Schneider, All members voting yes.

Motion made and seconded to have a 5 minute recess. All members voting yes. Roll call after recess. All members in attendance.

RESOLUTION 1-80 CHAIRMAN Ruth Dillon made a motion to elect C. Raymond King as Chairman. Seconded by Kenny Schneider. All members voting yes.

RESOLUTION 2-80 VICE CHAIRMAN Motion made by Ruth Dillon, seconded by Kenny Schneider to elect James VanSchoick as Vice Chairman. Yes: Mrs. Ruth Dillon, Messrs. C. Raymond King, Bill Miller, Ed Piotrowski, Kenny Schneider and James V. Smith. Abstained: James VanSchoick.

RESOLUTION 3-80 MEETING DATE Read by Peter Ragan, corrected to read, after the word holiday; and except that the regular meeting for the month of February 1980 shall be held on February 6, 1980 etc.

RESOLUTION 4-80 OFFICIAL NEWSPAPER Moved by Kenny Schneider, seconded by Ed Piotrowski. All members voting yes. Resolution to be published.

MANASQUAN ZONING BOARD OF ADJUSTMENT - REGULAR MEETING FEB. 6, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, Bill Miller, Ed Piotrowski, Kenny Schneider, James VanSchoick, Russell Neiberlein, James V. Smith and Attorney Peter Ragan.

ABSENT: None

Work session began at 7:30 with discussion of Resolutions before Board.

Meeting was called to order with a roll call, Salute to the Flag; Announcement that 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 Jan. meeting, moved by B. Miller, 2nd. J. VanSchoick, all mem. yes.

Mr. VanSchoick made motion to suspend the regular order of business, seconded by Mrs. Dillon. All members voting yes.

1-80 - ROGER TAYLOR 76 CHURCH STREET (Known as 82½ Church Street)

Mr. Taylor was sworn in by Attorney Ragan, gave his name and address as Roger W. Taylor, 106 Sussex Avenue, Spring Lake, New Jersey. The following exhibits were marked into evidence:

- A-1 Letter of denial from Construction Official stating rear yard requirement.
- A-2 Notice of appeal and variance application (2 pgs.)
- A-3 List of property owners (2 pgs.)
- A-4 Notice of Hearing
- A-5 Plot plan
- A-6 Detailed drawings
- A-7 Proff of Service

Mr. Taylor told the Board that the proposed addition will be 1½ stories; that the present structure would not be touched; that they felt that this was the best use of the property; that they were trying to duplicate the same lines and architecture; that the building might be of some historic value.

There was discussion between Mr. Taylor and the Board concerning the addition and property lines.

Mr. VanSchoick moved a motion to draw a favorable resolution, seconded by Mr. Schneider. All members voting yes.

MEMORIALIZATION RESOLUTION 9-80 JOHN DINYOVSKY DEEP CREEK DRIVE - CELLAR

Resolution was read by Mr. Ragan, moved by Mr. VanSchoick, seconded by Mr. Miller. VOTE: Yes: Mr. King, Mr. Miller, Mr. Piotrowski, Mr. Schneider, Mr. JanSchoick Abstained: Mrs. Dillon and Mr. Neiberlein. This Resolution had been voted on at the January 9, 1980 meeting.

REGULAR MEETING FEBRUARY 6, 1980-CONTINUED

10-80 BOYD C. DAVIS -122 FIRST AVENUE Resolution read by Mr. Ragan, moved by Mr. Miller, seconded by Mr. Piotrowski. VOTE: Yes: Mrs. Dillon, Messrs. King, Miller, Piotrowski, Schneider and VanSchoick. Abstained: Mr. Neiberlein.

11-80 - MR. AND MRS. LOUIS KESSELL - 377 FIRST AVENUE - Resolution framed by Attorney Ragan, moved by Mr. Miller seconded by Mr. Schneider. VOTE: Yes: Mrs. Dillon, Messrs. King, Miller Piotrowski, Schneider, VanSchoick. Abstained: Mr. Neiberlein.

DIET CENTER - 17-79 CONTINUED 177 MAIN STREET Motion to postpone application until next regular meeting March 12, 1980. Moved by Mr. Piotrowski, seconded by Mr. VanSchoick. All members voting yes.

PROPOSED AMENDED RULES AND REGULATIONS ZONING BOARD OF ADJUSTMENT
Motion made by Mr. VanSchoick to post proposed amended Rules and Regulations on bulletin boards in Borough Hall along with the proposed amended instruction sheet and the amended forms 1,2,4 and 5 of the Zoning Board of Adjustment. Seconded by Mr. Piotrowski. All members voting yes.

Motion made by Mr. Miller to adjourn meeting, seconded by Mr. Schneider. All members voting yes.

MANASOUAN-BOARD OF ADJUSTMENT - REGULAR MEETING- MARCH 12, 1980

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

ABSENT: Mrs. Ruth Dillon and Mr. Bill Miller

Work session began at 7:30 P.M. with discussion of legality of charging for expert witnesses.

Meeting was called to order at 8:00 P.M. with the Salute to the Flag, announcement that 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; then Sec'y called the Roll.

Minutes of February 6, 1980 meeting were moved by Mr. VanSchoick, seconded by Mr. Schneider. All members voting yes.

11-80 - MEMORIALIZATION RESOLUTION 11-80 MR. AND MRS. LOUIS KESSELL
Resolution was read by Attorney Ragan, moved by Mr. Schneider, seconded by Mr. Piotrowski. VOTE: yes, Messrs. Russell Neiberlein, Ed Piotrowski, Kenny Schneider, James P. VanSchoick, C. Raymond King. ABSTAINED: Mr. James V. Smith.

12-80 ROGER TAYLOR 76 CHURCH STREET (known as 82½ Church Street)
Resolution was read by Attorney Ragan, moved by Mr. VanSchoick, seconded by Mr. Neiberlein. All members voting yes.
Resolution 12-80 was amended to read: Paragraph 4,2) line 2, to read: consisting of a kitchen, bedroom and living room.
Paragraph 5,3) third line, delete (and dining room.)
Mr. VanSchoick moved the amended paragraphs read by Attorney Ragan. Seconded by Kenny Schneider. All members voting yes.

Mr. King mentioned that at the work session he had asked, Mr. Ragan, to research the legality of charging applicants for expert witnesses.

Motion made by Kenny Schneider to adjourn meeting. Seconded by James VanSchoick. All members voting yes.

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 Reg-
ulations 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 to 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.

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 struc-
ture is necessary.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING APRIL 9, 1980
CONTINUED

P.A.F. ASSOCIATES 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 acquire 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 probably 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 McLorkle 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 criteria 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.

P.A.F.ASSOCIATES EXHIBITS MARKED INTO EVIDENCE

- A-1 Deniel from Construction Official
- A-2 Notice of Appeal and Variance (2 pgs.)
- A-3 List of property owners (3 Pgs.)
- A-4 Notice of Hearing to property owners
- A-5 Affidavit of Proff of Service
& Affidavit of Publication
- A-6 Plot Plan dated 2-4-80
- A-7 Letter ofrom Construction Official to
Borough Eng./Flood Zone
- A-8 Application for Construction Permit
- A-9 Architects rendering of proposed construction
dated 6-11-79 & 7-20-79 (3 pgs.)
- A-10 Flood Map (5 pgs.)

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 rivised 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.

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

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

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

MEMBERS ABSENT: Messrs. Harry Huebner and Howard Wright

tape at 75

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

No minutes.

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

106 First Application - Pinehurst Development, regarding free standing sign, was continued from April 18th meeting.

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

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

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

REGULAR MEETING- MAY 9, 1979 CONTINUED

tape at 310

Dominic Incolla- Application 4-79

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

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

Roger McLaughlin introduced himself as attorney for objectors.

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

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

tape 2nd. side 017

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

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

REGULAR MEETING - MANASQUAN BOARD OF ADJUSTMENT - May 9, 1979 CON'TAPP: 4-79 - DOMINIC INCOLLA CON'T. - TAPE 28 SIDE 2

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

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

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

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

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

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

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

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

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

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

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

REGULAR MEETING - MAY 9, 1979 CON'T.

TAPE 640

E.R. CORCORAN INC. - APPLICATION 5-79

Motion was made and seconded to have a 5 minute recess. All members voting yes.

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

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

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

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

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

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

E.R. CORCORAN CONT.

Continue hearing 10:50 Roll call all members present

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

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

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

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

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

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

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

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

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

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

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

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

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

REGULAR MEETING - MAY 9, 1979 CON'T. (6)

J.C.WILLIAMS CON'T

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

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

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

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

Motion to adjourn. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING MAY 14, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. C. Raymond King, Bill Miller, Ed Piotrowski, Kenny Schneider, Russell Neiberlein, James Van Schoick, James V. Smith and Attorney Peter Ragan

ABSENT: None

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

Meeting was called to order with 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 Coast Star and the Asbury Park Press. Chairman called for a Roll Call and the Salute to the Flag.

Minutes of the April 9, 1980 meeting were moved by Mr. VanSchoick, seconded by Mrs. Dillon. Abstained: Messrs. Miller and Schneider. Yes: Mrs. Dillon, Messrs. Neiberlein, Piotrowski, VanSchoick, Smith, King. Minutes of April 23, 1980 meeting were moved by Mr. VanSchoick, seconded by Mr. Neiberlein. Abstained: Messrs. Miller and Schneider. Yes: Mrs. Dillon, Messrs. King, Neiberlein, Piotrowski, VanSchoick, Smith.

RESOLUTION 13-80 MICHEAL ACKAWAY 125 BEACHFRONT Resolution read by Attorney Ragan moved by Mrs. Dillon, Seconded by Mr. VanSchoick. Mr. Smith certified that he had heard tapes of both April 9 and April 23 meetings. Abstained: Messrs. Miller and Schneider. Yes: Mrs. Dillon, Messrs. King, Piotrowski, Neiberlein, VanSchoick, Smith.

VERONICA LINDMERE- 60 SECOND AVENUE APPLICATION #3-80 Veronica Lindmere was sworn in by Attorney Ragan, gave her address as 11 Brandywine, Brielle, N.J. The following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
- A-2 Notice of Appeal (2 pages) & Variance Application
- A-3 List of Property Owners (3 pages)
- A-4 Notice to Property Owners
- A-5 Affidavit Proff of Service & Coast Star Affidavit of Publication
- A-6 Survey of Property
- A-7 Hand drawn graphic sketch of property
- A-8 Rendering (color)

Mrs. Lindmere said that she proposes to build a laundry room and garage on North side of home; that there was 9.91 feet and she needed 11'

Mr. and Mrs. Kelly on North side of house objected to variance. Mr. and Mrs. Parker, 64 Second Ave. objected.

Mrs. Dillon asked for a site inspection so it would be clear in mind exactly where the boundrys are.

Mr. VanSchoick moved to continue Public hearing until June 11 without the need for any further notice and to have a site inspection on Sunday May 18 at 9A.M. Seconded: Ed Piotrowski. All members voting yes. tape at 464.

Monday
Evening
7:30

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING MAY 14, 1980 CONTINUED

APPLICATION # 4-80 JOHN AND DALE WOOLEY *** 87 UNION AVENUE

Letter of denial read by Mr. King, from construction official.

Thomas O'Brien, Attorney representing John and Dale Wooley.

Mr. O'Brien said that Mr. and Mrs. Wooley were the owners of Block 68, Lot 69, 87 Union Avenue, that the building was located in the C office Comm. Zone and 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 Proff of Service
List of Property owners
copy of notice published in newspaper
- A-4 Application for construction permit (2 pages)
- A-5 Plot Plan

Mr. O'Brien stated that they were seeking an A variance; that the building was currently used for a law office and residence; that it has been a law office and residence since 1959; that they would like to expand dwelling to increase the size of structure; that it would still be a one family apartment; that they were enlarging to accomodate wife, self and mother in law; that the use of the professional office will stay the same.

Mr. O'Brien further stated that they were seeking a waiver form site-plan requirements; that the residential use is a permitted accessory use in the C office commercial Zone and they submit they are not a non-conforming use; that if the Board finds that they are a non-conforming use they then want a D variance permitting them to expand the building structurally.

Mr. Wooley was called and sworn in by Mr. Ragan, gave his address as 87 Union Avenue, Manasquan, N.J.; said he was the owner of the property in question with his wife Dale; that the first floor and basement were his office; that he practiced law with Bruce Wetzel; that they had 3 three secretaries; that the apartment was on second story and consisted of kitchen, bedroom dining area, living room and bath; that he had purchased property on June 19, 1959. At that time he was granted a variance to put office on first floor with the apartment on second floor. In 1959 the permitted use was for single family dwellings and he had obtained variance to put office and apartment. Mr. Wooley said that he had recently sold his residence and that he now would like to take his residence over his office. Mr. Wooley said he had retained Al Rolfe Arch. The Arch. renderings were marked A-6-3 pages. The apartment would consist of kitchen, dining area, bedroom and bath with a ground level 2 car garage. The addition would not violate any other regulations for yard requirements; that they would convert existing kitchen into bedroom and bath, mother is 84 and has lived with Wooley's for 20 years. Mr. Wooley further stated that he has practiced law since 1950, that he had been the Borough Attorney for 14 years and he was familiar with the Zoning, that most of it was probably his language; he said that he was familiar with an A variance application; that he felt there was an oversight, that under general language, Accessory Use: Other uses and structures customarily incidental to the Principal Permitted use. In the B-1 zone it is permitted to have a residence over a store and seems to have been an oversight in the C office Commercial Zone. In the R-1 Zone it is permitted to have a home professional office. Definitions and Word Usage 107-3-B Accessory Building or use. Mr. Wooley said that it is his position that the Residential aspect of his property is an accessory use to the permitted main use of property; that he was asking Board to make that determination; that there was adequate off street parking for staff and lawyers; that they were not enlarging the office they were only enlarging residence; that it would extend out 4.7"; that it was presently a walkway; that the garage would provide 2 additional parking spaces; that there would only be one kitchen and

BOARD OF ADJUSTMENT MEETING MAY 14, 1980 CONTINUED

JOHN WOOLEY CONTINUED

ALFRED ROLA-sworn in by Peter Ragan, said there was a total of 8 parking spaces including 1 handicap parking space plus 2 owner spaces, making a total of 10.

Mr. Wooley stated that there would be no additional outside lighting; no outside air conditioning.

JAMES B. MACAFEE - 111 UNION AVE., MANASQUAN, N.J.

sworn in by Attorney Ragan, called by Attorney O'Brien to be an expert witness. Board accepted Mr. MacAfee as an expert witness. Mr. MacAfee had been retained by Mr. Wooley to examine site of surrounding neighborhood. Has been in real estate since 1927. (53 years) Has observed area for 53 years. Made a record of types of properties that exist from Main street to the Brielle Line. The following exhibits were marked into evidence:

- A-7 Drawing of types of properties
- A-8 Written discription of A-7

There are professional and residential buildings on both sides of street. That in his expert opinion no detriment to the public good; that the property has its highest and best use.

485 ALBERT ROLO 139 UNION AVENUE, MANASQUAN, N.J.

Alfred

Mr. Rolo has already been sworn. He is a licensed Architect with the State of New Jersey, grad. from the Cooper Union School of Architecture in New York 1948. Mr. Rolo was offered as an expert witness. He was retained by Mr. Wooley as Architect to draw plans for addition. Addition does not violate any yard of other Zoning requirements as shown on Schedule I, Zoning 107-27. Familiar with the Zoning Ord. and the application for an A Variance. He further stated that he had heard Mr. Wooleys argument and Mr. O'Briens presentation that the residential use is an accessory use in the C Zone and that in his opinion as a professional planner that office and residential is a permitted use, that there would be no detriment to the Public good. In conformance with the Master Plan, Under Comm. uses from Master Plan up date July 1978 show a conscious decision on part of planners that residential and Business uses should be permitted to co-exist.

Master Plan marked exhibit A-9

Mr. O'Brien told board that there were three differant sections to wave site-plan approval- 107-73, 107-82-4, 107-53-C Referred to 107-55, Planning Board may wave ect.

No objectors.

Bill miller made motion to draw resolution under Section A, permitted accessory use and that a site plan is not required and also that the public hearing be closed. Seconded by Mr. VanSchoick. All members voting yes.

Kenny Schneider made motion to adjourn meeting. Seconded by All members voting yes.

Tape to 87-second tape.

SPECIAL MEETING MANASQUAN BOARD OF ADJUSTMENT MAY 16, 1979

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

MEMBERS ABSENT: Messrs. Harry Huebner and Howard Wright

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

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

Adjourned to private meeting. All members voting yes.

Adjourned private meeting. All members voting yes.

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

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

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

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

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

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

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 benifit 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 ¼ 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.

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

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 disqualify 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 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 Fitzsimmons 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.

SPECIAL MEETING JUNE 8, 1979 BOARD OF ADJUSTMENT CONTINUEDJ.C.WILLIAMS HEARING CONTINUED

Members of the Board to disqualify themselves on basis of Resolutions 10-79 and 11-79. Joined in motion by Robert P. Ward representing J.C. Williams Co.

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

All members voted to deny motion by Attorney Pardes.

John McMullen was sworn in by Attorney Ragan, stated his name as John D. McMullen, his address 42 N. Farragut Avenue. He stated that he felt the billboard was unsightly, 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 approximately $\frac{1}{4}$ 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 4 and 40:55D-72 that Mr. McMullen was not an interested party and that the Board did not have jurisdiction.

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT JUNE 11, 1980

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

ABSENT: Mr. Jim Smith

Meeting was called to order by Chairman King with a roll call; Announced there was a quorum, saluted the flag.

Dispensed with minutes.

RESOLUTION 14-80 JOHN D. WOOLEY

Resolution was read by Mr. Ragan moved by Mr. Miller, seconded by Mr. VanSchoick. All members voting Yes.

LINDMERE 60 SECOND AVENUE APPLICATION 3-80 CON'T

Endre Nadas, M.D. sworn in by Attorney Ragan, gave his address as 404 Central Avenue, Bradley Beach. Dr. Nadas said he owned property at 22 Ocean Avenue, Manasquan.

It was noted that all members had made a site inspection. Mrs. Dillon said that there didn't seem to be a hardship; that there is sufficient area for garage to be placed in rear of house.

Dr. Nadas made comments concerning application.

Mrs. Dillon said that there are rules which must be followed and our rules clearly state that the hardship must relate to the nature of the land and the neighborhood and not the circumstances of the owner.

Motion made by Mr. Piotrowski, seconded by Mr. Miller to close public hearing. All members voting yes.

Motion made by Ed Piotrowski to deny application. Seconded by Kenny Schneider. Yes: Mrs. Dillon, Messrs. Miller, Neiberlein, Piotrowski, Schneider, King. No: Mr. VanSchoick.

Motion to adjourn made by Kenny Schneider, Seconded by Ed Piotrowski. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING JULY 9, 1980

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

ABSENT: NONE

MEETING WAS CALLED to order by Chairman King at 8:00 p.m. with a roll call and Salute to the Flag. Announced that meeting 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.

MINUTES MAY 14, 1980 Minuets were moved by Mr. Miller, seconded by Mr. Piotrowski. All members - Yes.

MINUTES JUNE 11, 1980 Minutes were moved by Mr. Piotrowski, seconded by Mr. Neiberlein. All members - yes.

Minutes of May 14 and June 11, 1980 meetings were posted on bulletin boards.

RESOLUTION 15-80 - LINDEMERE 60 SECOND AVENUE

Resoluion to deny application was read by Attorney Ragan, moved by Mrs. Dillon, seconded by Mr. Schneider, VOTE: Yes, Mrs. Dillon, Messrs. Miller, Neiberlein, Piotrowski, Schneider, and King. No: Mr. VanSchoick.

OLD BUSINESS:

Mr. Ragan said that he had spoken to the Attorney representing the Board of Adjustment in Eatontown, regarding whether or not experts could be retained by the Board and paid for by the applicant. Mr. Ragan said that the Eatontown lawyer agreed with him that it could not be done. But, their policy was, where the Board feels that the applicants case is inadquatly presented, without an expert, rather than the Board simply going and obtaining their own witness, they tell the applicant that they are going to need expert testimony and if they don't have expert testimony it doesn't appear as though there's enough information to decide the application favorable. With the idea that you will go and get and expert. If there is oppostion, they would tell the same to both sides and suggest that maybe they could save some money if the Board appointed the person and they paid for it together. Thats the way they handle it. It has to be handled, delicately because it would be improper to firmatively advise that you have to get an expert and you have to pay for it. That it could be presented in a proper manner.

Mr. Ragan said that he had also reviewed the notes from the J.C. Williams application. Dan Miller testified, when someone questioned him about the electric hookup, that it wasn't considered because the applciation did not include the electrification of the sign.

No more business Mr. Schneider moved a motion to adjourn meeting, seconded by Mr. Piotrowski. All members - yes.

Jo-Ellen Brown, Sec'y

BOARD OF ADJUSTMENT - REGULAR MEETING - JULY 11, 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. There was a discussion of the Site Plan before Board.

Meeting was called to order at 8:12 by Vice Chairman VanSchoick with a roll call, announced the Board presently had seven members five of which were in attendance therefore there was 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 Asbury Park Press and the Coast Star.

17 Resolution 15-79 moved by Raymond King seconded by Kenny Schneider read by Attorney Ragan pertaining to John Mc Mullen's Appeal of the issuance of building permit. VOTE: Yes: Mrs. Ruth Dillon, Raymond King, Kenny Schneider. NO: Messrs. Ed Piotrowski and James VanSchoick.

70 E.R. CORCORAN INC. APPLICATION 5-79 CON'T. Robert Confortti, Attorney for Mr. Corcoran spoke to Board saying that they were here because of request of Board regarding condition of outside of building.

Mr. Corcoran said that they had enclosed Dempsey Dumpster, painted all the trim in front of building, had put landscaped ties around driveway, had gotten rid of a truckload of debris and brush from around building.

Mr. Confortti said that at one of the earlier meetings the Board had been asked to treat the Variance application under Section A of the Statute, in that we felt the Building Inspector did make an error in his interpretation of the Ordinance on porches. He said that there had only been one objector in the audience. And that in respect to the bar operation there were no calls to the police.

Ruth Dillon moved a motion to draw a resolution in favor of Corcoran's request.

Mr. King said that he didn't feel the Bldg. Inspector make an error in his interpretation of the Zoning. Mr. King is not in favor of drawing a favorable resolution.

Mrs. Dillon asked for a motion in favor of application under 10-72-82-A under paragraph A. Seconded by Ed Piotrowski. VOTE: Yes. Mrs. Ruth Dillon, Messrs. Ed Piotrowski, Kenny Schneider. NO: Messrs. Raymond King and James VanSchoick. Carried 3 to 2. Resolution to be voted on at the next meeting of the Board of Adjustment August 8, 1979.

232 SOUTH SHORE HAVEN REST HOME APPLICATION 7-79 Attorney D. Parsons Jr., representing South Shore Haven Rest Home with respect to variance application and site plan application, Submitted to Sec'y an Affidavit of Publication and Affidavit of Service, supplied to us by the Borough of Manasquan. The following exhibits were marked into evidence.

A-1 Application- Construction Officials letter of Deniel- Notice of Appeal and Variance Application form. Two pages.

A-2 Affidavit of Publication.

A-3 Notice to Property Owners and Affidavit of Mailing - Proof of Service.

A-4 Site Plan, drawn by Dinkledge Sebring Architects, June, 15, 1979.
3 pages - Site plan-elevation-floor plan.

SOUTH SHORE HAVEN REST HOME CON'T.

- A-5 Additional elevation
- A-6 Rendering
- A-7 Certificate of Necessity, dated 12/14/78, from New Jersey Dept. of Health. Two pages.
- A-8 3 letters.

Brief introductory statement from Attorney Parson's to the Board. He said that this was an application for a use variance because the existing shelter was in an Residential Zone. Mr. Matera had come before the Board some years before to increase existing facility from 18 beds to 45 beds and that he had state approval for that. That Mr. Matera now wants to put an additional 10 beds, making a total of 28 beds, that the proposed expansion, other than being an expansion of a pre-existing non-conforming use does not violate any other requirements as far as set backs and so forth in a residential zone. That there are a couple of pre-existing set backs such as Elizabeth Ave. and a small portion of Main street which are in violation. These set backs are not being increased..

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Attorney Parson's called Ron Sebring to testify. Mr. Sebring was sworn in by Attorney Ragan and stated his name as Ronald Sebring, his address as 200 Atlantic Avenue. Mr. Sebring said that he was a licensed Architect and Planner in the State of New Jersey. That he had prepared the site plan and supportive drawings and plans that had been filed with the Board. Mr. Sebring then described to the Board the proposed addition, saying that the N.E. portion would be a two story addition, ground floor area approximately 870 sq. feet. Existing front porch will be enclosed. The Northerly side of porch will be maintained. He said that the building as it exists measures 3022.25. The proposed new addition, including the enclosure of the northwest porch will measure 1173 square feet, making the entire building measure 3206.25 square feet. He spoke about the prevailing set backs in the area of the rest home. He said that in the redesign they would add a ramp walk in front of building; Referring to A-4, page 3 he said that they would enlarge the dining room and living area; change location of main stair; install a mechanical lift; retain bathroom in new location and install two additional lavatory facilities. Move two bedrooms to rear of building, propose construction of a fireproof stair which will eliminate the need for having a fire escape. On the second floor there would be an addition of new bedrooms and lavatory. The outside of building will have new wood siding, cord and batton on the upstairs floor, shutters and a general upgrading of building. Mr. Sebring further stated that he had contacted Jerry Evans, in reference to the water and sewer and was told that they were adequate.

Side B

Mr. King asked if there were additional provisions for parking, air conditioning or lighting and was told that there were none. Mr. Schneider asked about the heating and was told that the existing heating was oil fired steam and it had been recently re-habed and was large enough to take care of the proposed addition.

Mr. Matera was sworn in by Attorney Ragan, stated his name as Joseph Matera his address as 308 Hance Road, Fairhaven, N.J. That he was the president and with his wife the sole stockholder in South Shore Haven Rest Home, that South Shore was a Corporation of the State of New Jersey and is the owner of the existing shelter care facility on North Main Street. Attorney Parsons showed Mr. Matera A-7, in evidence, he said it was a certificate of need issued the latter part of last year for a 48 bed facility in area. Specifically made out for Wall. That he had applied to the Board for a variance to expand to a 40 bed facility and was denied. Presently the facility has 18 beds and has been operated by Mr. Matera for eight years. Mr. Matera said that South Shore was a private home and that they averaged 4 or 5 calls a week looking for beds. He said that he was generally aware of what was going on State wide in Shelter care facilities. He said that the State sometimes closes homes and then tries to place patients in other homes. When asked about percentage of patients that come from a 10 mile radius he answered 80%. Mr. Matera is

BOARD OF ADJUSTMENT JULY 11, 1979 CON'T

In reference to parking he said that there were no residents with cars and no set hours for visiting. There are only 5 people who work at the facility. One full time worker and four part time workers. Mr. Matera said that there were no delivery trucks. He said that the facility was self contained. Garbage was in rear of garage.

Attorney Ragan asked if any State approvals were needed to expand. Mr. Matera said that he had no Certificate of Need at the present time. If variance was granted he would apply to State.

Paul Johnson sworn in by Attorney Ragan. Gave his name as Paul Johnson, business address as Route 35 and Allaire Road in Wall Township, from the Danskin Agency. Professional real estate appraiser and licensed real estate broker, associated with the Danskin Agency in Wall Township.

Mr. Parsons asked if he had reviewed the Zoning Ordinance and plans on file and fully studied the site. Mr. Johnson answered yes. He then described the existing neighborhood saying that the house lies on the N.E. corner of Elizabeth Avenue and N. Main Street. There are mostly one family residences although there are some two family dwellings in area. It seems to be a stable area. Proposed addition is in the buildable area of lot. If variance expands a non-conforming use in his opinion he can see no detrimental effect or loss of value for adjoining properties.

Mr. King asked about the additional ratable. Recalled Mr. Matera, he said that it would be around \$200,000. This was agreed to by Mr. Sebring. Mr. Matera also said that he paid around \$550.00 in taxes per quarter.

Mr. Cramer from 20 Elizabeth Ave., said that he was afraid of the sewers in the area. That putting an addition on the home would cause problems. Another objector said that there was parking on the north side of Main Street only.

Mr. Parsons summarized the evidence before Board.
Three letters were read into the proceedings. 1st. letter from Francis Mara, M.D. 2nd. Theresa Bannigan, 425 Euclid Avenue and a 3rd. from James P. Cashman, M.D.

Dorothy Jones, 70 N. Main Street, objector.

Mr. King moved for a site inspection and a letter from Mr. Evans pertaining to sewer problem or water problem.

Mr. Sebring will get letter from Jerry Evans pertaining to water and sewer.

Mr. Schneider made motion to continue hearing until next regular meeting, including the provision that there was no need for additional public notice. Seconded by Ed Piotrowski. All members voting yes.

Motion for site inspection at 9 A.M. on July 14.

Motion made and seconded to have a five minuet recess. All members voting yes.

Rollcall. All members present

BETTY M. SHREEHAN - 76 STOCKTON LAKE BLVD. Mrs. Shreehan was sworn in by attorney Ragan and the following exhibits were marked into evidence.

- A-1 letter of denial from construction official
- A-2 List of property owners
- A-3 variance appeal 2 pages
- A-4 notice of Hearing & proof of service copy of list of property that were hand delervied and certified. copy of receipts of certified mail 4 pgs.
- A-5 Site plan and drawings of proposed addition.

BETTY SHREEHAN - 76 STOCKTON LAKE BLVD. CON'T

Mrs. Shreehan said that she owned the property with her sister Doris Marcavage and that her husband with the help of the builder drew the drawings.

Peter L. Shreehan was sworn in by Attorney Ragan along with Doris Marcavage. They both gave their address as 76 Stockton Lake Blvd. The Shreehans and Ms. Marcavage said they had owned the property for over 9 years, that they wanted to build a rear porch and that sometime in the future they might want to enclose porch, that they didn't have the 20 foot rear yard required by Zoning Ordinance.

After a discussion of the lots abutting Shreehan's property and examining tax map, Ruth Dillon moved a resolution in favor of the application seconded by Kenny Schneider. All members voting yes.

Resolution 17-79 - Considering everything, the fact that their were no objectors, that Mrs. Shreehan is the co-owner and has owned the property for approxamitly 10 years and that the proposed porch will be build approcimately 8 to 10 feet above Mean High Water Line for those reasons and the fact that it will enhance the appearance of the dwelling and find that it has no detremental effect upon Zoning Plan or Zoning Ordinance of the Borough of Manasquan and as a matter of fact will be of a benifit and will enhance that dwelling and entire neighborhood. For those reasons werwill grant the variance.

Chairman VanSchoick called for another vote. All members voting yes.

Lee Carlson, Licenced Real Estate Broker, 177 Main Street, Manasquan. spoke to Board informally concerning building 20 Old Squan Plaza.

Meeting adjourned. All members voting yes.

BOARD OF ADJUSTMENT - SPECIAL MEETING - JULY 25, 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 - both ill.

WORK SESSION began at 7:30. There was a discussion of Shore Havens' application. Secretary was told to have Kenny Miller, the Fire Inspector, at the August 8, 1979 meeting if possible. There was also some discussion pertaining to the Resolution before Board for evening.

Meeting was called to order at 8:00 P.M. by Vice Chairman VanSchoick. He announced that Notices had been sent to the Asbury Park Press and the Coast Star. Asked for a roll call. Announced there were five members present, constituting a quorum. Held the Salute to the Flag.

It was noted that the Public Hearing had been closed.

E.R. CORCORAN, INC. - announced that this was a special meeting for the continuation of E.R. Corcoran Inc.

Mr. Conforti, attorney for Mr. Corcoran, thanked the Board for responding to their request for a special meeting. That they had nothing further to add.

Mrs. Dillon moved Resolution 17-79, read by Attorney Peter Ragan, seconded by Ed Piotrowski.

Mr. Ragan asked Mr. Conforti: If in the event that the Resolution is adopted. That Mr. Conforti on behalf of E.R. Corcoran Inc. represent to the Board on record, that the Variance Application be withdrawn. Mr. Conforti, after conferring with Mr. Corcoran, said that they would.

Resolution 17-79 VOTE: YES: Mrs. Ruth Dillon, Messrs. Ed Piotrowski, Kenny Schneider. NO: Messrs. Raymond King and James VanSchoick. Resolution was carried 3 to 2.

Motion made by Kenny Schneider to adjourn meeting at 8:30. Seconded by Ed Piotrowski. All Members voting yes.

Tape at 164.

REGULAR MEETING OF THE ZONING BOARD OF ADJUSTMENT AUGUST 8, 1979

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

Meeting was called to order by Chairman VanSchoick announced there was a quorum of five members, held the Salute to the Flag, announced it was an open public meeting held in accordance with the Open Public Meetings Act.

Ruth Dillon moved the minutes of the special meeting of July 25, seconded by Kenny Schneider. All members voting yes. Minutes posted on board.

South Shore Haven Rest Home Con't Brooks Von Arx appearing before Board in place of Therodore Parsons. Mr. Parsons on vacation for month of August.

Mr. VanSchoick read letters from William P. Farrell, Borough Eng. and Gerald Evans, Borough Super. of Water and Sewer. He then referred to exhibit A-4, the Site Plan, said that it shows the existing garage as smaller than it actually is. Mr. Sebring to furnish the Board with a corrected copy to supplement A-4.

Mr. Ragan marked the two letters read into record as B-1 and B-2.

Mr. Sebring was reminded he was still under oath and asked to explain the use of the enclosed stairwell. Mr. VanSchoick said that some questions had arisen concerning enclosed stairwell. Mr. Sebring said that part of the Uniform Construction Code of the State of New Jersey is the B.O.C.A., Basic Building Code of 1978. That Code makes statement concerning institutional use. It says that "it shall have two means of egress, one of which must be an enclosed interior stair. What is meant by an enclosed interior stair. This is a stair protected in a fire tower, in other words enclosed space with fire doors and smoke doors. Doors must remain in closed position. If remaining open they must have a protective closing device which will close in case of a fire. The stair tower must provide direct access to the exterior from any point within the building. By entering the stair tower your in a point of refuge. This stair tower has its own mechanical systems, i.e. ventilating and heating systems, which is separate from that of the remaining portion of the building. If there is a fire in the building someone would be able to enter into this fire enclosure ^{add egress} to the outside and could be in a relatively safe position. Further, the existing stair, inside the building, which we are using as a second means of egress. The code requires us to have two means of egress from every level above the main level. This will be reworked to comply with Articles of the Code, but this can remain an open stairway. Now concerning the fire escape. I want to read you something from Section 621 of the B.O.C.A. Basic Building Code. Its title is fire escapes. Where permitted, that's the title where permitted fire escapes shall not be permitted as an element of required means of egress except on existing buildings or structures when constructed in accordance with approved rules and regulations, when more adequate exist way facilities cannot be provided. The interpretation of this section of the code is that we are remodeling this building. We are bringing this building up to current code standards. We must provide two means of egress both being a stair. One of which must be an enclosed interior stair. A staircase specifically not permitted to be used as a means of egress. So the State Building Code is telling us we cannot use and we cannot install that fire escape, that is not use that fire escape. We must handle the egress in the building in a different way."

Mr. VonArx asked about his experience in professional design. If in Mr. Sebring's opinion the access to the outside which would be provided by the interior stairwell, which you just described, is superior to that which would be provided by the existing exterior fire escape. Mr. Sebring answered yes and then explained why he felt that way.

SOUTH SHORE HAVEN REST HOME CON'T

There was further discussion concernng smoke in stairway.

Peter Ragan swore in Kenneth W. Miller, 90 Stockton Lake Blvd., Manasquan Borough Fire Inspector. Mr. Miller was asked to give his thoughts concerning interior stairwell. Mr. Miller said that he felt the interior stairway was out of the question. That using ventalation in the stairway would cause draft and crate a hazard as far as the elderly people were concerned. He recommended the fire escape be left on building.

Mr. VonArx asked if in his opinion the interior stairs were put into the building if under those circumstances the existing fire escape should remain so in essance there would be two fire excapes. Mr. Miller said he certainly would. He also said that there was occupancy on the 3rd. floor and he was worried about getting these people out if there were a dence smokey fire.

Mr. Ragan asked about Mr. Millers background in Fire Inspection, for the record. Mr. Miller said that he had spent 19 years with the South Wall Fire Co. That 12 of those 19 years he had attended the Monmouth County Fire Collage. Also had worked with the fire inspector State Codes in Wall Township 1959-1960-1961.

Mr. Sebring told how the stairwell was going to be presureized and how it would work. He agin stated that he was bound by the B.O.C.A. Code.

- 570 Mr. VonArx suggessted that if the Board was of a mind to approve the Application for the variance. The Board might resolve to approve it leaving the question of the mechanics of the stairwell to the administrative people who must review the matter in terms of approving the final plans.

Motion to approve the variance made by Ruth Dillon subject to the administrative assistance. Secoded by Raymond King. All members voting yes.

Motion made by James Vanschoick to close the public meeting. All members voting yes.

Recell 5 minutes. Roll call All members present.

FEN LI CHEN APPLICATION 9-79 73 Manito Road, Manasquan, N.J. Representing Mr. Chen, Thomas C. O'Brien, 25 Old Squan Road, Manasquan. Mr. Chen wishe to construct a 2 car garage with bath on second floor and a half bath on garage floor.

Ammdement to application: location of garage on plot plan is 5.5' to be ammdened to be 6'10" from rear of property.

The following exhibits were marked into evidance.

- A-1 Letter of deniel from Dan Miller'
- A-2 Notice of appeal and variance application 2 pgs.
- A-3 List of property owners - 2 pgs.
- A-4 Notice of hearing to property owners
- A-5 Affidavit 7/26/79
- A-6 Certificatation of Fen Li Chen regarding his contract.
- A-7 Application for const. permit 2 pgs.
- A-8 5 page construction plans
- A-9 plot plan with affadavit dated 7/19/79
- A-10 Proff of Service attached proff of notice to adjacent municipality
- A-11 Notice of hearing to county planning Board
- A-12 Affidavit of Publication newspaper
- A-13 Plot plan - showing set backs as amended

Mr. O'Brien said that we were all hear to hear a hardship variance under N.J.S.A. 40:55-70C of the N.J. Statutes. He said that the problem was with the rear yard. Ordinance requires 20 feet and Mr. Chen only had 6'10".

John from the firm of Deppeler and Leahey 34 Taylor Avenue, Manasquan. Mr. Deppeler is representing Joseph and Betty Feeney, who are in opposition to the application. Mr. Deppeler said that he would like the opportunity to cross examine the witnesses on behalf of the Mr. and Mrs. Feeney.

Mr. O'Brien said that the Chens do not speak English and that their son could translate if the Board saw fit for him to do so.

Attorney Ragan swore in Kenneth Chen, he gave his address as 73 Manito Road, Manasquan, his age as 15. Fen Li Chen, gave his name as Fen Li Chen, his address as 73 Manito Road. Mr. Chen said that he owned property at 73 Manito Road, he had lived in N.J. 8 or 9 years. Bought property June 28, 1979. There are 6 people in family, Father, Mother, Grandmother, and 3 boys. There are 6 rooms in house, 3 bedrooms, 1 study, 1 kitchen, 1 dining room, 1 living room. They said they had no intention of renting any portion of property. Father employed by John McCreevey as a garage mechanic. That he has no intention of repairing cars in garage. They said that the property backs up to the Manasquan Public works. There was no property to buy to make lot larger. Mr. Chen is a citizen of the United States.

Mr. Deppeler asked if the lot was of proper size and was told the lot was 50 x 100. That the house was built in 1979. That the other houses on street were on 50 x 100 foot lots. Mr. Deppeler asked the proposed garage would be attached to house. Answer by a porch.

William Holzapeel, 44 Ridge Avenue, Manasquan, was sworn in by Attorney Ragan stated his name and address as William Holzapeel, 44 Ridge Ave. Manasquan, his occupation as general contractor. Mr. Holzapeel will be retained by Mr. Chen to build the addition to the house if the variance is granted. Mr. Holzapeel was told by Mr. Miller, Construction Official, that the rear yard was not enough, 20 feet was needed. Mr. Miller also told him that bedrooms were not allowed above a detached garage. Mr. Holzapeel said that he was familiar with the Zoning Ordinance of the Borough of Manasquan, that a detached garage could be built on premises without a variance. That other ways were considered but it would mean loosing kitchen and bedroom windows. That the garage could be reduced but they would be unable to put 2 bedrooms, loose the turnaround and would loose ventalation. The proposed addition would cost \$26,000 dollars. Builder was not sure if adjoining properties were uniform. Garage ridge would be 18 Or 19 feet high. Present home is about 20 feet. Present dwelling is a 1½ story cape cod. They didn't anticipate putting any additional air conditioning.

Objectors:	Elaine Morton -	65 Manito Road
	Henry Lozar	107 Manito Road
	Joseph Feeney	71 Manito Road
	Gary Kirk	83 Manito Road
	Betty Feeney	71 Manito Road
	Tom North	65 Manito Road
	Jack Hyde	77 Manito Road

Recess

Roll call all members present.

195 Mr. Deppelar said that he felt the application was for a use variance and not a hardship variance under N.J.S.A. 40:55B-70C. Proposed use

FEN LI CHEN CON'T

Attorney O'Brien said that he had no doubt about the variance being a use variance. He said that he could't imagine how a second family could move into the garage and bedrooms without the building inspector or code enforcement officer knowing about it. He could not see how the property could be used as two residential units. He felt that there was no question that it is a hardship variance pursuant to N.J.S.A.-40:55D-70C. He felt that they had satisfied criteria, that the lot was 50 x 100. That they had complied in every respect except the rear yard. He felt that it would be a hardship to Mr. Chen by not allowing the variance.

Motion made by Ed Piotrowski to close public hearing. Seconded by Kenny Schneider. All members voting yes.

Motion made by Ed Piotrowski to have an on site inspection at the Boards convience. Seconded by Kenny Schneider. All members voting yes.

Motion made by Mr. Schneider seconded by Mr. Piotrowski to continue application until September 12, 1979. All members voting yes.

tape 468. Meeting adjourned.

(4)

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING AUGUST 13, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Bill Miller, Russell Neiberlein, Kenny Schneider, James P. VanSchoick Jim Smith, Raymond King and Attorney Peter Ragan

ABSENT: Mr. Ed Piotrowski

Meeting was called to order at 8:00 p.m. with a roll call; Salute to the Flag; 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 Coast Star and the Asbury Park Press.

Minutes of July 9, 1980 meeting were moved by Mr. Neiberlein, seconded by Mrs. Dillon. Carried by unanimous vote.

There being no one present in the audience a motion was made and seconded to have a 10 minute recess. Carried unanimously.

Roll call after recess. All members present.

JOHNSON AND JOHNSON REALTY 5-80 - 260 PARKER AVENUE

Richard Wight, representing Johnson and Johnson, said that the Johnsons leased the property in question and would produce the lease if needed. That the application was for the expansion of a non-conforming use; that there was existing a free standing sign and his client wanted to enlarge sign; that the property in question was in the I Zone (light industrial) that there were other free standing signs in area; that he had pictures of these signs.

Mr. Ragan asked if the Johnsons would be available to testify tonight and Mr. Wight said that they would not. Mr. Ragan asked if Mr. Wight was going to supplement the application with additional submissions along with comment and exhibits and Mr. Wight said that this was his intention, that the Board would accept as comment rather than testimony.

Mr. King asked the members present if they had visited site. All had visited site.

The following exhibits were marked into evidence:

- A-1 Construction officials letter of denial
- A-2 Notice of appeal and variance application
- A-3 List of property owners (2 pages)
- A-4 Notice of hearing to property owners
- A-5 Affidavit of proff of service and publication notice (2 pgs)
- A-6 Form of notice that was published in paper
- A-7 Application for construction permit (3 pages)
- A-8 Pictures - collectively
- A-9 Scmatic of sign
- A-10 copy of lease

Discussion between Board and Mr. Wight regarding various aspects of sign i.e. straitening post for sign, if sign is on Borough Property, if sign will be aluminated, ect.

Motion made by Mr. VanSchoick, seconded by Mr. Miller to continue Public hearing until the September 10, 1980 meeting without the need for any additional notice.

No objectors in audience.

Motion made to adjourn meeting made by Kenny Schneider seconded by Russell Neiberlein. Carried by a unanimous vote.

REGULAR MEETING MANASQUAN BOARD OF ADJUSTMENT SEPTEMBER 10, 1980

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

ABSENT: Messrs. Bill Miller and Jim Smith

Work session began at 7:30 with discussion of variance application before board and of changing prices for variance applications under (c) (d).

Meeting was called to order at 8:10 with a roll call, quorum present. The Salute to the Flag was held and Chairman King, announced that this was an open public meeting held in accordance with the Open Public Meetings Act of 1975. Adequate notice had been given to the Asbury Park Press and the Coast Star.

MINUTES AUGUST 13, 1980 moved by Ruth Dillon Seconded by Mr. Van Schoick. Vote: Yes- Mrs. Dillon, Mr. Neiberlein, Mr. Piotrowski, Mr. Schneider, Mr. VanSchoick. Abstained: Mr. King.

5-80 JOHNSON AND JOHNSON REALTY -260 PARKER AVENUE CONTINUED

Richard Wight representing Johnson and Johnson. Mr. Wight asked to have the following exhibit marked into evidence:

- A-11 State of New Jersey (DOT) from John Nettleton 9-9-80
- A-12 From Board of Chosen Freeholders 9-4-80
- A-13 From Chief Paul LaVance, Manasquan Police Dept. 8-21-80
- A-14 From Sharpe Sign Co. 9-7-80

Robin Gregory Johnson, 2613 River Road, Wall Township, with Manasquan Post Office. was sworn in by Attorney Ragan, he said that he would like to clear up 2 points that had been brought up by Board at last meeting. i.e. that the sign was plumb, that the existing lights would not be used, that there would be no illumination of sign.

Steve Steinmacher, 338 Laurel Avenue, Lakewood, N.J. was sworn in by Attorney Ragan. He said he was from the Sharpe Sign Company. He answered questions concerning sign i.e. the blow out velocity, the size, 5'x6'x4", the weight not to exceed 50 or 60 lbs, the framing would be made of 040 Aluminum, that it would be free swinging and have new hangers and chain supports, that there would be upper and lower panels, that the sign would be 7'10" off ground.

No Objectors

Motion made by Mr. VanSchoick to close public hearing. Seconded by Kenny Schneider. Carried by unanimous vote.

Motion made by Kenny Schneider to draw a favorable resolution incorporating all the facts. Seconded by Mr. VanSchoick. Carried by Unanimous vote.

Motion made by Mr. VanSchoick to adjourn meeting, seconded by Mr. Schneider. Carried unanimously.

Jo-Ellen Brown, Secretary

BOARD OF ADJUSTMENT - REGULAR MEETING SEPTEMBER 12, 1979

MEMBERS PRESENT: MRS. Ruth Dillon, MESSRS. Raymond King, Bill Miller, Ed Piotrowski, Kenny Schneider, Janes VanSchoick and Attorney Peter Ragan.

ABSENT: Mr. Harry Huebner

Work session began at 7:30. The Board discussed electing a new Chairman and Vice Chairman. James VanSchoick was nominated and seconded as Chairman. Yes vote: Mrs. Ruth Dillon, Messrs. Raymond King, Bill Miller, Ed Piotrowski and Kenny Schneider. No: none. Abstained: Mr. James VanSchoick. Mr. Raymond King was nominated and seconded as Vice Chairman. Yes vote: Mrs. Ruth Dillon, Messrs. Bill Miller, Ed Piotrowski, Kenny Schneider and James VanSchoick. No: none. Abstained: Mr. Raymond King.

Meeting was called to order by Chairman VanSchoick at 8:05 with the Salute to the Flag. Announced it was an open public meeting held in accordance with the Open Public Meetings Act of 1975.

July 11 and August 8th minutes were moved by Ruth Dillon seconded by Kenny Schneider All members voting yes.

RESOLUTION 18-79 SOUTH SHORE HAVEN REST HOME Resolution was read by Peter Ragan moved by Ruth Dillon seconded by Ed Piotrowski. All members voting yes.

CONTINUATION OF APPLICATION 9-79 FEN LI CHEN Tom O'Brien representing Mr. Chen said that he understood that the Board had made their on site inspection Saturday Sept. 8. He wondered if the Board had any questions. Mr. King asked if there were any plans to build a retaining wall on the east wall. Mr. Ragan noted that the public hearing was closed on August 8, but that there could be remarks from lawyers. Mrs. Dillon said that she didn't think they showed hardship. Mr. Schneider moved to draw a Resolution against the application, seconded by Ed Piotrowski. All members voting yes.

APPLICATION 10-79 GEORGE AND JEAN YEOMANS Ray Dinklage, Architect, for applicant, said that the Yeomans were unable to attend because of illness in family. He asked to have the application continued until next month. Kenny Schneider made motion to postpone hearing until next regular meeting with no need for any further public notice. Seconded by Ruth Dillon. All members voting yes.

APPLICATION 11-79 - MANASQUAN SAVINGS BANK Representing bank, Owen B. Pearce, 25 Old Squan Plaza, Manasquan, N.J. the following exhibits were marked into evidence:

- A-1 Affidavit of Service
- A-2 Affidavit of Publication - Coast Star
- A-3 Notice of appeal
- A-4 Attached drawing (Indian Head)
- A-5 Scaled drawing
- A-6 Application for construction permit.
- A-7 Plot plan showing area of sign

Tom Blake was sworn in by Attorney Ragan, gave his name as Thoman F. Blake, his address as 221 Easton Rd., Point Pleasant, N.J. President of Manasquan Savings Bank. Showing Mr. Blake A-7 Mr. Pearce asked him to identify where the sign would be located. Mr. Blake said that the sign would be located in planter on Old Squan Plaza, circled in red on Plot Plan. Mr. Blake said that the sign would be descriptive, it would show logo, which is an Indian Head, and mark entrance into drive-in facility. The sign will be two faced plastic with allum frame of bronze color. The sign will installed according to specs and plans.

488 Frank Barbara, 10 Warren Drive, Maroboro, N.J., representative of HUB sign Corp. was sworn in by Attorney Ragan. He said that he was contracted to build sign. It will be a pedestal base 4 feet from ground, 9 ft. at top. No messages on sign.

No objectors.

Bill Miller moved a resolution granting Manasquan Savings Bank permission to erect a free standing sign. Seconded by Kenny Schneider. All members voting yes.

BOARD OF ADJUSTMENT - REGULAR MEETING SEPTEMBER 12, 1979 CONT

APPLICATION 12-79 MARTIN KEEFE 191 BEACHFRONT Attorney Ragan swore in Martin Keefe 25 Cambridge Avenue, Yonkers, N.Y. 10707. Mr. Keefe said that he was the present owner of the Sea Breeze. It currently had 6 apartments and 17 rooms. That he would like to convert 13 of the rooms into 4 apartments having a total of 10 apartments and 4 rooms. That he rented the apts. seasonally. That he would have to add one bathroom.

Mr. VanSchoick suggested that the Board have an on site inspection Sunday morning at 9:30.

Mr. Ragan told Mr. Keefe that in order for the Board to make a decision they would need a complete facual picture. What exists now and exactly what is going to be done.

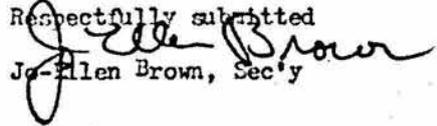
Mr. King suggested that we check to see if it is a multible dwelling. To get any records from the Police Department and the Fire Inspector.

Charles Tassini, 294 Euclid Avenue, asked about the parking facilities. Mr. Keefe said that there were presently 9 parking spaces.

Motion made by Kenny Schneider to continue hearing until the October 10 meeting. Seconded by Ed Piotrowski. All members voting yes.

Motion made to adjourn meeting by Bill Miller, seconded by Kenny Schneider. All members voting yes.

Respectfully submitted


Jo-ellen Brown, Sec'y

MANASQUAN BOARD OF ADJUSTMENT-REGULAR MEETING OCTOBER 8, 1980

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

MEMBERS ABSENT: Messrs. Ed Piotrowski, Kenny Schneider and James V. Smith

Meeting was called to order by Chairman King with a roll call, Salute to the Flag, announcement that meeting 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.

Mrs. Dillon moved the minutes of the September meeting be approved as presented. Seconded by Mr. Neiberlein. Carried by unanimous vote.

RESOLUTION 16-80 JOHNSON AND JOHNSON REALTY

Resolution 16-80 was read by Attorney Ragan, moved by Mr. Van Schoick, seconded by Mr. Neiberlein and carried by the following vote: Yes-Mrs. Dillon, Messrs. King, Neiberlein, VanSchoick Abstained: Mr. Miller.

AMENDED RULES AND REGULATIONS

Under 3)40:55D-70-57d. Use-delete all others per acre.

Add: Whenever an application for development shall include more than one request for action, the total accumulated fees for each separate action shall be applied.

Moved by Mrs. Dillon, seconded by Mr. Miller carried by unanimous vote.

102 APPLICATION 6-80 - BARRY AND PEGGY IVINS 129 BEACHFRONT

Mr. and Mrs. Ivins were sworn in by Attorney Ragan and the following exhibits were marked into evidence.

- A-1 Construction Officials letter of denial
- A-2 2 page Variance Application and Notice of Appeal
- A-3 List of Property owners and white receipts
- A-4 Notice of Hearing to property owners
- A-5 Affidavit of Proof of Service
- A-6 Page from Carl Yards map of American Timber Land
- A-7 Org. notice of hearing published in Coast Star, Sept. 80
- A-8 Arch. rendering for Mr. and Mrs. Henry Selzer, dated Feb. 28, 1962

Mr. Ivins stated that they would like to construct a garage apartment with side yards of 3'2", instead of the 5', required by the Zoning Ordinance. There would be 20' feet between rear yards of both buildings, proposed building would be in line with other buildings on street. Building would be 19'8" wide and 40' long. Ivins lease land from American Timber Co. Mr. Ivins further stated that the lot was very narrow and that they would like to utilize the land and get more parking spaces. Garage would be open type to drive in for, four (4) cars. Apartment would consist of Kitchen-Dining Area, living room, 3 bedrooms and bath. Attic would be a pull down stairway with small windows for ventilation. No air conditioning, no outside flood lights. The only lights outside would be for illumination of rear stairs and garage apron. Mr. Ivins stated that there was no additional land for them to buy.

No objectors in audience.

Two letters in favor of application:

1. Boyd C. Davis, 122 First Avenue/123 Beachfront
2. Joseph J. Mariziti, 131 Beachfront

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

AGED _____

TOO LIGHT _____

TOO DARK _____

RIPPED/TORN _____

OTHER *cut off on Bottom*

APPLICATION 7-80 A. JOHN AND VIOLA SALERNO (HAVEN'S CLEANERS)

Bruce Wetzel representing the Salernos.

The following exhibits were marked into evidence:

- A-1 Letter of Deniel
- A-2 2 page Notice of Appeal and Variance Application
- A-3 List of Property owners to be served
- A-4 Proff of Service and Publication of Public Notice
Copy of Affidavit
Listing of persons notified by returned receipts and copies
of retruned receipts.
- A-5 Survey of property dated Jan. 29, 1980
Revised October 24, 1973
- A-6 2 page Application for Construction permit
- A-7 No objection letter from Neauhaus-81 Main Street

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Mrs. Salerno called by Mr. Wetzel was sworn in by Attorney Ragan gave her name as Viola Salerno, 31 Wardell Circle, Oceanport, N.J. Mrs. Salerno said she and her husband were the owners of property known as 81/83 Main Street, and run business know as Haven's Quality Cleaners. Purchased property in 1968 and at that time there was a business on first floor, with apartment on 2nd. and 3rd. floor. The 3rd. floor apartment had personal belongings in it and they had knowledge of people living in building. Orginally bought building with a partner, always intended to renovate 3rd. floor apartment but could not afford to do so at the time of pur hase. Seven years ago they bought out partner and could not afford at this time to renovate 3rd. floor. Continued to pay water and sewer until 1977. Mrs. Salerno said that when she discontinued charge she was not told she would give up any rights to apartment. The 3rd. floor was never used for anything other than Orginal apartment. Would like to modenrize apartment, stairway, heating and also store on 1st. floor. At request of lawyer Mrs. Salerno did a survey of properties in Manasquan and found several other 3 story buildings with apartments on 3rd. floor. Mrs. Salerno stated that they would like the income from the other apartment, that the building was large and always in need of repairs, that they always intended to use 3rd. floor for apartment. That they will comply with all State and Local regulations. Fire escape will be made of steel. That they do cleaning on premises but the material used is not flammable. Driveway is an easement from the Borough of Manasquan. Mrs. Salerno said there would be a Living room, dining area, bedroom, kitchen, small bedroom and bath. Separate gas heating unit and air conditioning. Revamp electric and put in new plumbing fixtures. New windows update interior of business.

Mr. Salerno sworn in be Mr. Ragan gave his name as John Salerno, 31 Wardell Circle, Oceanport, N.J. Mr. Salerno said he had heard his wife's testomony and that the rent from the 3rd. floor apt. would help with the upkeep of building. That the solvent that they use for cleaning is not flammable.

New tape

No objectors in audi nce.

Mrs. Dillon made motion to draw a favorable resolution with stipulation that the fire inspector be notified and any recomen-dations he makes be part of Boards decision. Seconded by Mr. Miller. Carried by un nimous vote.

035

APPLICATION 8-80 CARMEN G. TRIGGIANO

Carmen G. Triggiano was sworn in by Attorney Ragan, gave his name
Carmen G. Triggiano, 50 Central Avenue, Manasquan.

MANASQUAN BOARD OF ADJUSTMENT OCTOBER 8, 1980 MEETING CONTINUED

CARMEN G. TRIGGIANO CONTINUED APPLICATION 8-80

- 071
- A-1 Letter of Deniel
 - A-2 2pg. notice of Appeal and application form
 - A-3 List of Property owners 2 pgs.
 - A-4 Novice of Hearing to Property-Owners
 - A-5 Affidavit of Proff of Service 1 pg. hand del vered
and copies of white receipts
 - A-6 Affidavit of Publication
 - A-7 3 pg. sketch of proposed construction
 - A-8 Survey of Property
 - A-9 Picture of House

- 81 Mr. Triggiano told Board that he wanted to enclose an 8' x 12' section of an existing front porch. The house was a two family with apartments on the first and second floors. Mr. Triggiano said that he was requesting a Waiver from the Site Plan Review (107-53) because of 107-55 (B) page 10769 , Code of the Borough of Manasquan. "Does not affect existing circulation, drainage, building arrangements, landscaping, buffering, lighting and other considerations of site plan review." Also 107-36 Sch. II, Mimumum Off-Street Parking Areas, Notes (2) "Off street parking is not required in the B-1 Business Zone District for individual uses, provided that they are within a three-hundred-foot radius of a public off-street parking facility or a private off-street parking facility open for use by the general public." Mr. Triggiano further stated that Lot 1E in Block 32, joined the Municipal Parking lot and the building was approxamately 60 feet from the proposed Barber shop. He felt that site plan review would serve no useful purpose in this instance.

Mr. Triggiano told Board that there were two entrances to apartments. One on side of building and one in rear, Porch is existing, with floor and roof, that he would have to comply with all State Barber Codes, that he has been a resident of Manasquan since 1966 & hopes to move his business from Point Plesant where he has been for 22 yrs. Mr. Triggiano said that he intended to re-side house and would like to get all work done at same time. He does not intend to occupy apartment at the presant time.

Discussion between Board and Mr. Triggiano concerning outside lighting, Barber Pole-sign, ect.

Mr. Miller moved motion to waive Site Plan Review. Seconded by Mr. VanSchoick. Carried by Unanimous vote.

- 320 Motion made by Mr. Miller to prepare favorable resolution based on the facts presented. Seconded by Mr. VanSchoick. Carried by Unanimous vote.

Mr. King noted that there were no objectors in audience

- 345 Motion made by Mr. Miller to adjourn meeting. Seconded by Mr. Van Schoick. Carried by Unanimous vote.

Jo-Ellen Brown, Secretary

BOARD OF ADJUSTMENT - REGULAR MEETING OCTOBER 10, 1979

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, William Miller, Ed Piortowski, Kenny Schneider and Attorney Peter Ragan.

ABSENT: Mr. James VanSchoick

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

Meeting was called to order at 8:00 P.M. by Vice Chairman King. He announced it was an open public meeting held in accordance with the Open Public Meetings Act of 1975 and that adequate notice had been given to the newspaper. Secretary called roll and Board and Public saluted Flag.

Minutes of September 12th meeting were moved by Ruth Dillon seconded by Kenny Schneider. All members voting yes.

Ruth Dillon read letter to Peter Ragan, Esq. from Brooks VonArx, Esq., regarding South Shore Haven Rest Home Resolution typing error, page 2, paragraph 7. (Change the word an for the word four.) Ruth Dillon moved motion, seconded by Kenny Schneider. All members voting yes.

RESOLUTION 19-79 - FEN LI CHEN - Resolution 19-79, to deny application of Fen Li Chen was read by attorney Ragan, moved by Kenny Schneider, seconded by Ed Piortowski. All members voting yes.

RESOLUTION 20-79 MANASQUAN SAVINGS BANK Resolution read and moved by Bill Miller, seconded by Kenny Schneider. All members voting yes.

APPLICATION 12-79 - MARTIN KEEFE 191BEACHFRONT CON'T Mr. Keefe was reminded he was still under oath. The following additional exhibits were marked into evidence.

- A-8 Additional Survey of lot 4 Block 170
- A-9 4 page exhibit.

Mr. King explained to Mr. Keefe that a D variance requires 5 votes. He said that since there were only 5 members present, Mr. Keefe might like to postpone his hearing until the following meeting when there might be more members present. Mr. Keefe said that he would rather continue now.

There was discussion between Board and Mr. Keefe concerning fire door, plumbing, size of hallways ect.

Mr. King asked to have the Fire Inspector come to the next meeting to give suggestion concerning fire door and other related matters.

side 2 Bill Miller moved a motion to continue hearing until next meeting. Seconded by Kenny Schneider. All members voting yes.

APPLICATION 10-79 - GEORGE AND JEAN YEOMANS CON'T - Mr. Ronald Sebring, Arch. for Mrs. Yeomans. Mr. Sebring presented drawing entitled Preliminary proposed exterior stair, Lots 7 & 8, Block 21. Revised to read Block 124. The following exhibits were marked into evidence.

- A-1 Deniel from Construction Official
- A-2 Notice of Appeal and Variance Application
- A-3 List of Property Owners (2 pages)
- A-4 Notice of Hearing to Property Owners
- A-5 Affidavit of Proff of Service
- A-6 Survey of Property, dated 9/11/78
- A-7 Preliminary sketch dated 7/20/79

Mrs. Yeomans was sworn in by Attorney Ragan, gave her name and address as Jean Yeomans, 81 Monroe Street, Cedar Grove, New Jersey. Mrs. Yeomans said that she had engaged Mr. Sebring with regard to application. Mr. Regan sworn in Mr. Sebring, who gave his name and address as Ronald A. Sebring, 200 Atlantic Avenue, Manasquan, N.J. Mr. Sebring said that he was a registered Architech and

GEORGE AND JEAN YEOMANS CON'T

Mrs. Dillon asked if there was furniture in the extra bedrooms. Mrs. Yeomans said that there were rugs and one dresser, also a bathroom.

Ed Piotrowski asked if some kind of a shed could be installed. Mrs. Yeomans said that her main reason for wanting the stair was for a fire escape.

OBJECTORS

Grace T. Perrone - 289 Pine Avenue, Manasquan, N.J.
Richard McGinnes - 279 Pine Avenue, Manasquan, N.J.

Ruth Dillon moved a motion to have an on site inspection, seconded by Bill Miller. All members voting yes.

Ed Piotrowski moved a motion to continue hearing until next month, seconded by Ruth Dillon. All members voting yes.

Ed Piotrowski moved motion to have 5 minute recess, seconded by Kenny Schneider. All members voting yes.

Roll call after recess. All members present.

APPLICATION 13-79 MR. AND MRS. LOUIS KESSELL Represented by Richard Wight, Esq., Brielle, N.J. The following exhibits were marked into evidence.

- A-1 Deniel from Construction Official
- A-2 Notice of Appeal and Variance Application
- A-3 List of property owners - 3 pages
- A-4 Notice of hearing to property owners
- A-5 Affidavit of Proff of service with white papers
- A-6 Architects sketch / one large page
- A-7
- A-8 Plans/titled : a single family residence for Mr. and Mrs. Louis Kessell 368 First Avenue, Manasquan, N.J. dated Oct. 30, 1978. Sheets 1 thru 5...

Mr. Wight said that he would like to initially address himself to the nature of the application, which is a use variance under D as opposed to C. He said that he had had a conversation with Dan Miller concerning new Ordinance as opposed to old Ordinance. New ordinance does not specifically exclude the use of the unit on Beachfront and First Ave. Mr. Wight wanted to confirm deniel from Construction Official.

Robert Houseal was sworn in by Attorney Ragan, said his office was in SeaGirt, N.J. that he was a registered Architeck and that he was engaged to draw plans for Kessell in August of 1978. That the plans were completed On October 30, 1978. That other dwellings in area are similar to ones being presented before Board; that the basement habitable floor is above 10 foot elevation required by Ord. 1066. Houseal said that the reason he did not put according to B.O.C.A. was because he forgot to put same on plans. Mr. Houseal then went thru plans, sheets 1 thru 4, with Board explaining as he went. Lot was unusually narrow only 30 feet.

Mr. Kessell sworn in by attorney Ragan. Said that he and Mrs. Kessell were going to retire to proposed house in 3 years.

Mr. Houseal said that if variance was not granted for 3 foot side yard he would have to redesign entire building. That it would reduce square footage down to 1000 sq. feet. It would be equivalent to loosing a bedroom. It would also mean having a one car garage.

There were 6 letters read into evidence.

Kenny Schneider moved a motion tho have a site inspection on Saturday October 13, seconded by Bill Miller. All Members voting yes.

Motion made by Bill Miller to continue hearing until next month, seconded by

BOARD OF ADJUSTMENT - REGULAR MEETING OCTOBER 10, 1979 CON'T

JOHN KINNEY -480 BRIELLE ROAD - APPLICATION 14-79 Mr. Kinney was sworn in by Attorney Ragan, gave his name and address as John Kinney, 480 Brielle Road, Manasquan, N.J. The following exhibits were marked into evidence.

- A-1 Letter of Deniel from Construction Official
- A-2 Notice of Application and Variance application
- A-3 List of Property Owners
- A-4 Notice to Property Owners
- A-5 Proff of Service
- A-6 2 pages sketch

Mr. Kinney said that he wanted to build a bedroom and bath above existing structure. Addition of structure would be a violation of 107-27, side yards and rear yard. Mr. Kenney said the building was on bulkhead, dock 10 ft. in width. No rear yard. Zone was R-3. Winterize 2nd. floor.

Motion made to have site inspection by Kenny Schneider seconded by Ed Piotrowski. All members voting yes.

Motion made by Ed Piotrowski, seconded by Kenny Schneider to continue hearing until next meeting. All members voting yes.

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MARTIN AND KATHLEEN KEEFE - 183 BEACHFRONT - APPLICATION 15-79 Martin Keefe was sworn in by Attorney Ragan stated and his name and address as Martin Keefe, 25 Cambridge Ave. , Yonkers, N.Y. The following exhibits were marked into evidence:

- A-1 Letter of Deniel from Construction Official
- A-2 Notice of Appeal and Variance Application form (2 Pages)
- A-3 List of Property Owners (2 pages)
- A-4 Notice of Hearing to Property Owners
- A-5 Affidavit of Proff of Service
- A-6
- A-7 Plans, title/Proposed Single family Residence for Martin and Kathleen Pages 1 thru 8/ dated 17th, Nov. 78

Robert Houseal, Registered Architect was called to testify, sworn in by Attorney Ragan, office in Sea Girt, N.J. Mr. Houseal went thru plans, exhibit A-7, with Board explaining pages 1 thru 8.

Motion was made by Bill Miller to draw a favorable resolution, seconded by Ruth Dillon. All members voting yes.

Motion was made by Ruth Dillon to close public hearing seconded by Kenny Schneider All members voting yes.

Motion was made and seconded to closed Public Meeting. Meeting was adjourned at 11:10 P.M. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT - SPECIAL MEETING - OCTOBER 17, 1979

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

ABSENT: NONE

Side B Work session 7:30, discussion of Resolutions and Applications before Board.

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Meeting was called to order at 8:00 P.M. with roll call and the Salute to the Flag.

RESOLUTION 21-79 - MARTIN AND KATHLEEN KEEFE 183 BEACHFRONT - Favorable Resolution was read by Peter Ragan, moved by Bill Miller seconded by Kenny Schneider. All members voting yes.

MARTIN KEEFE APPLICATION 15-79 - 191 BEACHFRONT CONTINUED PUBLIC HEARING - Mr. VanSchoick announced that he had listened to the tape of the October 10, 1979 meeting. Mr. VanSchoick told Mr. Keefe that the Board wanted more detailed drawings, an Architects' drawings.

Mr. Ragan reminded everyone that this was a continuation of the Public Hearing and that Mr. Keefe was still under oath. And if he would waive the Statutory Time Period. Mr. Keefe said that he would.

Mr. King moved a motion to continue hearing until November 14 meeting. Seconded by Ed Piotrowski. All members voting yes.

GEORGE AND JEAN YEOMANS - APPLICATION 10-79 CONTINUED PUBLIC HEARING Mr. and Mrs. Yeomans or any representatives were not present at hearing.

Motion was made by Bill Miller to close Public Hearing, seconded by Kenny Schneider. All members voting yes.

Resolution was moved by Kenny Schneider to deny application for an outside stairway. Seconded by Ed Piotrowski. All members voting yes. Mr. Ragan to submit Resolution for review. Board felt there were no special needs or reasons for granting variance.

MR. AND MRS. LOUIS KESSELL 13-79 - 378 FIRST AVENUE - CONTINUED PUBLIC HEARING Richard Wight representing Kessells'. Mr. Wight said that the Kessells' would be acceptable to 5 foot side yards but would be grateful to any consideration the Board could give. The lot is very narrow only 30 feet; that it is a prevailing use on the east side of First Avenue; that most of the lots have houses fronting on First Avenue; that it would not be detrimental to the Public good.

Mr. King suggested that the Board consider giving 4 feet on northerly side and 2 feet on the south sided. Mr. VanSchoick suggested 5 feet on north side and 3 feet on South side.

Board moved a compromise resolution recited on record, to be embodied at a latter date in writing. Moved by Raymond King, seconded by Kenny Schneider. All members voting yes.

JOHN-KINNEY-480 BRIELLE ROAD-APPLICATION # 14-79 CONTINUED PUBLIC HEARING
Findings of fact: That there had been an addition to the front of 480 Brielle Road 3 or 4 years ago; that Mr. Kinney lives at Brielle Rd. all year round; that there are other houses in area that are two stories; that the neighbors house on the easterly side is completely in front of Kinney house and would not block anyones' view; that the physical placing of present structure leaves no other way to expand except up.

Motion made by Raymond King, Seconded by Ruth Dillon to grant the variance. All members voting yes.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING NOVEMBER 12, 1980

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. C. Raymond King, Bill Miller, Russell Neiberlein, Kenny Schneider, Ed Piotrowski, James V. Smith and Attorney Peter Ragan

ABSENT: Mr. James VanSchoick

Secretary called roll; Board Saluted the Flag; Mr. King announced that 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 were dispensed.

Mr. Ragan asked Mr. Schneider if he had listened to tape of October 8, 1980 meeting. Mr. Schneider said he had listened to tapes of meeting and will sign written certification provided by Secretary.

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RESOLUTION 17-80 CARMEN G. TRIGGIANO- 26 N. MAIN STREET

Mr. Ragan read Resolution 17-80. Mr. Miller moved resolution seconded by Mr. Neiberlein. Carried by the following vote: Yes. Mrs. Dillon, Messrs. King, Miller, Neiberlein, Schneider Abstained: Messrs. Piotrowski and Smith.

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RESOLUTION 18-80 A. JOHN AND VIOLA SALERNO-83 MAIN STREET

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

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APPLICATION 6-80 BARRY AND PEGGY IVINS CONTINUED

Board members had visited site. Motion made by Mr. Miller to close public hearing, seconded by Mr. Neiberlein. Carried by Unanimous vote.

Motion made by Mr. Schneider to draw a favorable resolution, seconded by Mr. Neiberlein. Carried by unanimous vote.

RESOLUTION 9-80 WILLIAM J. AND HARRIET LYTLE-107½ WYCKOFF AVENUE

Mr. Lytle was sworn in by Attorney Ragan gave his name and address as: William J. Lytle-107½ Wyckoff Avenue, Manasquan, N.J. The following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
- A-2 Notice of Appeal and Variance Application (2 pgs.)
- A-3 List of Property Owners
- A-4 Notice of Hearing to Property Owners
- A-5 Affidavit of Proff of Service
- A-6 Affidavit of Publication & Notice
- A-7 Survey of Property dated 3-17-78
- A-8 Photographs
- A-9 Two hand drawn S

265 Mr. Lytle stated that they would like to use the downstairs as a den 24'x30'; that they were just looking to use space as living quarters rather than a garage; that it would be expensive to fix doors; there would be no cooking facilities downstairs, there would be no structural changes; update electric; have total improvements on property; that John Dinyouvsy would be builder.

No objectors in audience.

Mr. Piotrowski moved motion to continue hearing until the December meeting with an interim site inspection. Seconded by Mr. Miller.

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING NOVEMBER 12, 1980 CON'T

APPLICATION 10-80 BERNARD AND JEAN PREBLICK 424 BRIELLE ROAD
Joseph Hillman, Attorney from Belmar representing Preblicks.
The following exhibits were marked into evidence:

- A-1 Letter of Deniel from Daniel Miller construction official
Deniel of Code Enforcement Application for Cert. of Inspection
- A-2 Notice of Appeal and Variance Application
- A-3 List of Property Owners
- A-4 Notice of Hearing
- A-5 Affidavit of Proff of Service and Affidavit of Publication
Original and affidavit from paper
- A-6 Affidavit from Mr. Hillman dated 10-29-80
- A-7 Agreement of Sale dated 9-19-80
- A-8 Photo copy of tax map

Mr. Ragan swore in Mr. Prebrick, he gave his name and address as Bernard Preblich-959 Old York Road, East Windsor, N.J. Mr. Hillman referred to Exhibit A-7-Agreement of Sale and asked Mr. Preblich if it was the contract to purchase property known as Block 175 Lot 27, Mr. Preblich said that he was the contract prucheser and intended to use house as a two family if variance was granted. Mr. Preblich stated that property had existing side and rear entrances to second floor. That the first floor was rented to a yearly resident. That he intended to put heat on second floor and that it would take a minimum amount of work to funtion as a two family dwelling. That there would be no exterior changes. That he was buying for a profit motive; that there were three bedrooms and there would stay three bedrooms.

Mr. and Mrs. Rizzo from 428 Brielle Road objected to variance. Mrs. Rizzo stated that there was a kitchen already in apartment and that the downstairs apartment had only a space heater for heat.

Mr. Miller said that he would like to see a more detailed lay out of rooms. That he felt that there should be some kind of a living room.

Mrs. Dillon moved to continue public hearing until December meeting, and to have a site inspection on Saturday November 15, 1980 at 9:30 A.M. seconded by Mr. Miller. Carried by unanimous vote.

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

Jo-Ellen Brown, Secretary

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

BOARD OF ADJUSTMENT - REGULAR MEETING DECEMBER 12, 1979

MEMBERS PRESENT: MRSSRS. RAYMOND KING, BILL MILLER, RUSSELL NEIBERLEIN, ED PIOTROWSKI, KENNY SCHNEIDER, JAMES P. VANSCHOICK AND ATTORNEY PETER RAGAN

ABSENT: MRS. RUTH DILLON

Work session began at 7:30, Board discussed applications and other matters before the Board. Attorney Richard Wight spoke to the Board concerning re-opening of the Kessell Application.

Regular meeting was called to order by Chairman VanSchoick with a roll call and Salute to the Flag. Chairman VanSchoick 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.

Minutes of the November 14, 1979 meeting were moved by Bill Miller, seconded by Ed Piotrowski. Yes vote: Messrs. Raymond King, Bill Miller, Russell Neiberlein, Ed Piotrowski, Kenny Schneider. Abstained James VanSchoick.

Attorney Richard Wight asked to have the Kessell application reopened. Kessell Variance had been granted October 25, 1979. The Kessells were unable to put up building according to Resolution because of the B.O.C.A. Code.

Mr. King made a motion to reopen hearing subject to the applicant sending out notices to all interested parties. Seconded by Kenny Schneider. All members voting yes.

Motion made by Bill Miller seconded by Kenny Schneider for Attorney to review and make recommendations on the forms and applications that the Board of Adjustment uses in view of recent changes in law. All members voting yes.

JOHN DINYOUSZKY 39 DEEP CREEK DRIVE APPLICATION # 18-79 CONTINUED

Chairman VanSchoick turned the meeting over to Vice Chairman King and said that he had listened to the tape of the November 14, 1979 meeting. Mr. King noted that the Board had made a site inspection. Mr. Dinyouszky said that he had no further information. Mr. King asked if there was any way that property could be taken from present lot and added to this lot. Mr. Dinyouszky said no. Mr. Dinyouszky said that the lot had been large enough before the Borough took some of the property for the turn around. No other questions. No objectors in audience.

Motion made by Bill Miller to draw a favorable resolution and close public hearing. Seconded by Raymond King. Yes Vote: Raymond King, Bill Miller, Ed Piotrowski, and James VanSchoick. Abstained: Russell Neiberlein and Kenny Schneider.

10-79 MARTIN.KEEFE 1912 BEACHFRONT CONTINUED

Motion made by Raymond King seconded by Bill Miller to draw a favorable Resolution and close Public Hearing. Additional drawing marked into evidence exhibit marked with date 12-12-79. Yes Vote: Raymond King, Bill Miller, Ed Piotrowski, Kenny Schneider, and James VanSchoick. Abstained: Russell Neiberlein.

16-79 BOYD T. DAVIS 122 FIRST AVENUE CONTINUED

John Deppler from offices of Deppler & Leahey, Manasquan, N.J. Attorney for Mr. Davis. Mr. Davis was sworn in by Attorney Ragan stated his name and address as Boyd T. Davis, Westchester Pa. Mr. Deppler said that the Construction Official had denied permit for several reasons. That the property was zoned R-4 which required a 40' lot, Mr. Davis' lot was only 25'. That the proposed structure would be 3 and 2 feet from side yard where 5 ft. is required. Rear yard requirement is 20 feet and the property has none.

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

AGED _____

TOO LIGHT _____

TOO DARK _____

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OTHER X *cut off on Bottom*

REGULAR MEETING ZONING BOARD OF ADJUSTMENT NOVEMBER 14, 1979

MEMBERS PRESENT: Mrs. Ruth Dillon, Messrs. Raymond King, Wm. Miller, Ed Piotrowski and Attorney Peter Ragan

ABSENT: Messrs. Kenny Schneider and James VanSchoick

Meeting was called to order at 8:00 P.M. by Vice Chairman King, 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. Held the Pledge of Allegiance and a roll call. Four members present representing a quorum.

Minutes of October 10, 1979 meeting were moved by Bill Miller, seconded by Ruth Dillon. All members voting yes.

Minutes of October 17, 1979 meeting were moved by Ruth Dillon, seconded by Bill Miller. All members voting yes.

CONTINUATION OF MARTIN KEEFE 191 BEACHFRONT -12-79 - Motion was made by Bill Miller to continue hearing until next regular meeting without the need for any additional notice. Seconded by Ed Piotrowski. All members voting yes.

16-79 - BOYD DAVIS - 122 FIRST AVENUE - Mrs. Dillon moved a motion to continue hearing until next regular meeting without the need for any additional notice. Seconded by Ed Piotrowski. All members voting yes.

17-79 - DIET CENTER - 177 MAIN STREET - Motion made by Bill Miller, seconded by Ruth Dillon to continue hearing until next regular meeting without the need for any further notice. All members voting yes.

100 18-79 - JOHN DINYOUSZKY - 39 DEEP CREEK DRIVE - Mr. King informed Mr. Dinyouszky that he would need 3 of the 4 votes of the members present. He asked if he would like to have the application continued until the next meeting when there would be more members present. Mr. Dinyouszky said that he would take a chance and have the application heard tonight.

Mr. Ragan swore in Mr. Dinyouszky, he gave his name and address as John Dinyouszky, 39 Deep Creek Drive, Manasquan, N.J. The following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
- A-2 Notice of Appeal
- A-3 List of Property Owners- with white and green sheets
- A-4 Notice of Hearing to Property owners
- A-5 Affidavit of Proff of Service
- A-6 Survey, dated 11-9-79
- A-7 Application for construction permit
- A-8 Map of property, dated January 3, 1966.

Mr. Dinyouszky said that his property was 4785 square feet, that the property was short 215 square feet. There was a discussion between the Board and Mr. Dinyouszky concerning matters pertaining to the property in question.

Mrs. Dillon moved a motion to have a site inspection, Saturday at 9 A.M. Seconded by Ed Piotrowski. All members voting yes.

Bill Miller moved a motion to continue hearing until next regular meeting seconded by Ed Piotrowski. All members voting yes.

Mr. King asked if there were any objectors, on the Dinyouszky application. There were none.

There were some people in audience who were concerned with the Keesee

16-79 BOYD T. DAVIS 122 FIRST AVENUE CON'T

Mr. Davis said that he had owned property for 38 years; that there was a two car garage on property when he purchased property in 1940; that he would like to tear down this structure and build a new garage with an apartment above; that he wanted the apartment for his children and grandchildren.

The following exhibits were marked into evidence:

- A-1 Letter of Denial from Construction Official
 - A-2 Notice of Appeal and Variance Application form
 - A-3 List of Property Owners (3 pages)
 - A-4 Notice of Hearing to Property Owners
 - A-5 Drawing-Site Plan dated 9-21-79
 - A-6 Affidavit of Proff of Service and White Sheets
 - A-7 Photo copy of List of Property Wwners
 - A-8 Photos of present garage marked A-8-1 thru 8
1. Present garage
 2. Empty lot - house torn down in October on South Side (1979)
 3. Directly in rear, west side 1st. Ave.
 4. Next to Ross Inn
 5. South side-Marzitti House
 6. rear
 7. Ross House
 8. 123 Beachfront

Mr. Davis said that the photos were to show how close the people in the area live and how close the houses are. The average width of American Timber Co. properties is 25 feet. The proposed dwelling would have three bedrooms, living room, dining room and closets; that there are other properties in area that have the same type garage apartments. Mr. Davis' Architect told him that he would need width to allow for safety. If area was too small there wouldn't be access for fire and they would not be able to comply with state fire laws. Also if Board allowed variance Mr. Davis could use standard lumber and applicanes. Discussion between Board Members and Mr. Davis pertaining to side yards, overhang and other relating matters.

Mr. Deppler called Mrs. Agnes F. Lynch, 48 McLean Avenue, Manasquan, N.J. to testify. Mrs. Lynch was sworn in by Attorney Ragan. Mrs. Lynch said that she had been a Real Estate Broker for 1½ years and Real Estate salesperson for 18 years; that she had made a study of the 2 block area at the North end of Manasquan where Mr. Davis lived; that the average width on tax map was 25 feet, of properties between Riddle Way and Ocean Ave. and Ocean Ave. and Stockton Avenue; that many of these properties have the same type structures on them that Mr. Davis proposed.

Bill Miller moved a motion seconded by Kenny Schneider to continue hearing until January 9, 1980 meeting. All members voting yes.

DIET CENTER 177 MAIN STREET-APPLICATION #1 -79

Mr. Ragan swore in Mr. James J. Lynn-6 Irving Avenue, Westfield, N.J. Mr. Lynn said he wanted to appeal the denial of the building inspector. Diet Center's office was located in rear of building at 177 Main; that they had received many calls from people who saw adds but could not find office. That they would like to place a sign hanging from building, so it could be read from both sides.

Mr. Ragan asked if Diet Center was a corporation in the state of New Jersey and Mr. Lynn said that it was. Mr. Ragan advised Mr. Lynn that as a corporation they would have to be represented by an Attorney.

Mr. Miller made a motion to continue hearing until January 9 meeting

MANASQUAN BOARD OF ADJUSTMENT REGULAR MEETING DECEMBER 12, 1979

CON'T

19-79 JOHN DINYOUSZKY DEEP CREEK DRIVE - CELLAR

850 Mr. Dinyouszky said that he would like to put a cellar in proposed building if he gets variance to build house on undersized lot. Marked into evidence:

A-1 variance application forms and list of property owners (3 pages) Sec'y to obtain letter of denial form building inspector.

*new
Tape*
Discussion between Mr. Dinyouszky and Board Members pertaining to a water tight cellar. Cellar windows to be 8' above M.S.L. Finished grade will be approximately 8 feet; street elevation 7.74 & 7.48. Water and sewer lines are put in while pouring walls; gas pipes will be above grade; overhead electric service with outside meter, height 7'6".

Mr. Schneider moved a motion to continue hearing until January 9, 1980 **seconded** by Mr. King. All members voting yes.

No objectors in audience.

Motion made by Bill Miller to draw the appropriate Resolutions to initiate the New Year. **Seconded** by Kenny Schneider. All members voting yes.

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

1987

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

January 5, 1987

Special meeting of the Manasquan Board of Adjustment will be held January 7, 1987 at 8:00 pm in Council Chambers, 15 Taylor Avenue, Manasquan, N. J.

AGENDA:

Application 22-86 - Barbara Langella - 534 E. Main St. - cont'd

Application 23-86 - Noel Hood, Second Avenue - cont'd



Margaret Kazenmayer
Secretary, Zoning
Board of Adjustment

MEMBERS PRESENT: L. Sullivan, S. Yatter, R. Griffith, J. VanSchoick, E. Wagner
C. R. King, J. Mastrian, P. Walsh.

ABSENT: K. Schneider

Reorganization Meeting:

Peter Ragan introduced resolutions A thru E.

Under resolution "A" Raymond King was elected chairman by unanimous vote.

Under resolution "B" Leonard Sullivan, Jr. was elected Vice Chairman by unanimous vote.

Under resolution "C" Open meetings" the meeting dates were approved unanimous vote.

Under resolution "D" The Coast Star and the Asbury Park Press were voted designated newspapers for the Board.

Under resolution "E" Peter Ragan was appointed Board Attorney by unanimous vote.

Board also voted to raise the attorney's fees to \$75.00 per hour.

Regular Meeting:

MEMBERS PRESENT: L. Sullivan, S. Yatter, R. Griffith, J. VanSchoick, E. Wagner
C. R. King, J. Mastrian, P. Walsh.

ABSENT: K. Schneider

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.

Time limit of 11:00 pm was voted.

Resolutions A thru E were introduced by Mr. Ragan, moved by L. Sullivan, and seconded by E. Wagner and carried by the following vote: yes L. Sullivan, S. Yatter, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

Application 22-86 - Barbara Langella - Main St., Third Avenue & Pickel Alley property - cont.

Exhibits marked A-1 thru A-8

Mr. Carton, attorney for the Langella's asked Mr. Ragan to swear in his client, Mr. Langella. He testified he had owned the property with the restaurant for 5 years and it was a seasonal operation. The restaurant was in poor condition and the area could not sustain a year round business. The restaurant was demolished in November 1986, the property is vacant. Area around the property is zoned R-3 and calls for 3400 sq. ft. per lot. Mr. Langella's four lots have 4,000 sq. ft. and one lot, on the northeast corner has 3400 sq. ft. All drainage on the property will be to the South and East. No discharge will be on Pickel Alley. No egress of ingress on Pickel Alley. All lots will be 25' back from front, side yards will conform. Rear yard will conform on four lots, 1 lot on the northeast corner will have a rear violation. Need a variance on this lot for 10' rear yard. Also a variance to construct single family homes in a business zone. Five single family homes will be constructed by Mr. Langella and sold, he will be the contractor. Houses will be similar in nature to surrounding area and will have garages. Perhaps they will be 1½ stories. Mr. Langella will replace rear fence with new fence or shrubs. All house plans will be submitted to the Construction official and will conform to building codes. Water and sewer adequate.

Mary Birckhead - 309 E. Main St. asked if homes to rear of property are summer and winter rentals? Mr. Langella assumes they are. She also asked how many bedrooms will be in the new homes. Mr. Langella said 2 to 3 in all five houses.

Mr. King closed the public meeting.

Mr. Mastrian would like to see plans for buildings - Mr. Ragan ^{SAID} if variance granted Mr. Langella has right to build according to R-3 zone with variance. Mr. Mastrian objects to 35' houses, wants a condition in the resolution of 30' only. Wants plans to show finished houses. Mr. Langella feels restrictions unreasonable and the Board would be asking more of him than others in town. Mr. VanSchoick made motion to draw favorable resolution, seconded by Mr. Yatter. Mr. Sullivan asked for discussion of motion. Mr. Sullivan feels Mr. Langella should be allowed to build according to R-3 zone and code, he believes the Board should pass resolution, but make conditions for small lot, as follows: "Favorable motion to approve application for use variance for single family dwellings using R-3 criteria, also grant 5 lot sub-division and 10' rear setback on lot 50.04 and include drainage to Main St. and Third Avenue only." The above motion was carried by the following vote: yes; L. Sullivan, S. Yatter, R. Griffith, J. VanSchoick, E. Wagner, C. R. King. No; J. Mastrian. Abstain: P. Walsh.

1/7/87

Roll call:

Members present: S. Yatter, R. Griffith, J. VanSchoick, E. Wagner, C. R. King
J. Mastrian, P. Walsh.

Application 23-86 - Noel Hood - Second Avenue vacant lot - cont'd

Exhibits A-1 thru A-6 marked into evidence.

Mrs. Patricia Walsh was noticed on this application - cannot vote.

Mr. Hood wishes to build a two family house in a B-2 zone. Will conform to all setbacks except front. Lot is located between Leggetts and the Osprey parking lots. Mr. Hood feels use for business in area is not good. Property is in rear of weight room. Plans to rent summer/winter. Mr. Hood asked for a 14' front setback and in the future might want to build a 7' porch. Garage would be 20' x 20'. Mr. Yatter asked for a site inspection. Mr. Hood asked to be heard at the special meeting scheduled for 1/17/87 with the Wm. Wight application. Board agreed to hearing and site inspection will be made at 8:30 am before 1/17/87 hearing. Mr. Hood will make arrangements with Mr. Wight to split the special meeting costs.

Adjourn 10:15



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

January 13, 1987

A Special Meeting of the Manasquan Board of Adjustment will be held on January 17, 1987 at 9:00 am in Council Chambers, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Application 23-86 - Noel Hood - Second Avenue - cont'd

Application 9-87 - Wm. Wight - 97-99 Main St.


Margaret Kazenmayer
Secretary to the Zoning
Board of Adjustment

A SITE INSPECTION WILL BE HELD AT 8:30 am on 1/17/87 at Second Avenue, property between Leggets and Osprey parking lot.

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

January 17, 1987

The Manasquan Board of Adjustment will hold their regular meeting on January 21, 1987, at 7:30 pm in Council Chambers, Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Application 10-87 - Richard Wight - 97 Main St. - cont'd

Resolution 23-86 - Noel Hood - Second Avenue

Resolution 19-86 - Eugene Chmielewski - 113 Wyckoff Avenue

Resolution 17-86 - Four "S" Associates - 58 Broad St.

Resolution 22-86 - Barbara Langella - E. Main & Third Avenue

Application 20-86 - George Borab, 131 Union Avenue - cont'd

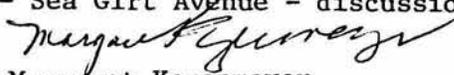
Application 21-86 - Charles Gerow - 512 Brielle Rd. - cont'd

Application 24-86 - Gina Pharo, 306 E. Virginia Ave. - cont'd

Application 1-87 - Stan Kaminski - 123 Atlantic Avenue

Application 2-87 - Joseph McGady - 52 Marcellus Avenue

Resolution 16-85 - Avon Hotel Corp. - Sea Girt Avenue - discussion


Margaret Kazenmayer

Dated at Manasquan
Jan. 17, 1987

MEMBERS PRESENT: S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

7:30 pm: Continue special meeting of 1/17/87 for Wm. & Richard Wight
97-99 Main St.

The chairman read a letter from the Borough Fire Official marked A-13, stating he will have lots 23A & 23B marked as a fire zone. Mr. Thomas, attorney for Wight submitted a revised sketch of apts. marked A-14. Mr. Thomas feels application will enhance the area and be for the public good. Mr. Mastrian suggested apartments on the second floor as well as the third fl. Mr. Yatter agrees with this, but objects to four cars being parked in rear of bldg. Mr. Wight is not sure he wishes to do this right now because of cost of conversion. He asks to reserve right to return to Board at future date and ask for second fl. apts. At present he wants commercial use on second floor. Board voted to close public meeting. The Board agreed to Mr. Wight's original application request: business use on first floor; commercial use on second floor and 2 apts. on third fl. Mr. Mastrian moved a favorable resolution be adopted, seconded by E. Wagner and carried by the following vote: yes; K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, R. King, J. Mastrian P. Walsh. Resolution will be memorialized.

Mr. King opened the regular meeting of the Board at 8:15 pm

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

Mr. King, chairman having a quorum present gave the salute to the flag and 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.

Time limit of 11:00 pm was voted.

Application 20-86 - Geroge Borab - 131 Union Avenue

Mr. Kevin Thomas, attorney for Mr. Borab withdrew the application for a use variance. He will apply to the Planning Board for site plan review.

Resolution 17-86 - Four "S" Associates was read by Peter Ragan, moved by J. VanSchoick, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, J. VanSchoick, C. R. King. No; R. Griffith, E. Wagner.

Resolution 19-86 - E. Chielewski, was read by Peter Ragan, moved by S. Yatter, seconded by P. Walsh and carried by the following vote: yes S. Yatter, K. Schneider, J. VanSchoick, E. Wagner, C. R. King, P. Walsh. No; R. Griffith.

Resolution 22-86 - Barbara Langella, was read by Peter Ragan, moved by J. VanSchoick, seconded by S. Yatter and carried by the following vote: yes; L. Sullivan, S. Yatter, R. Griffith, J. VanSchoick, E. Wagner, C. R. King. No; J. Mastrian

Resolution 23-86 - Noel Hood, was read by Peter Ragan, moved by E. Wagner, seconded by S. Yatter and carried by the following vote: yes; S. Yatter, R. Griffith, J. VanSchoick E. Wagner, C. R. King, J. Mastrian. The secretary was instructed to add the following as condition #3 at the end of the resolution: "The proposed two-family will be limited to six persons per unit occupancy, notwithstanding any contrary provisions of the Zoning code or zoning ordinances of the Borough of Manasquan."

Application 21-86 - Charles Gerow - 512 Brielle Rd. - cont'd

Mr. Gerow testified he will build 2' above grade for foundation plus 15' building ht. Grade at front of existing doors will be used to measure height. Public meeting closed. L. Sullivan moved a favorable resolution be drawn, seconded by E. Wagner and carried by the following vote: yes; L. Sullivan, S. Yatter, K. Schneider, R. Griffith, J. VanSchoick, E. Wagner, C. R. King, J. Mastrian, P. Walsh.

Application 24-86 - Gina Pharo, 306 E. Virginia - cont'd

Mrs. Pharo wishes to build a inground pool. Needs variance for 6' setbacks from one side and rear. Area will be fenced. Site inspection voted for Sat. Jan 24th.

Application 1-87 - Stan Kaminski - 123 Atlantic Ave.

Exhibits marked into evidence. Mr. Kaminski wishes to finish third floor bedrooms and add to and make part of apartments below. He will also add bath, foyer and porch. It will add occupancy to each apartment. Annual rentals. Sketch submitted A-10 shows existing porch and addition of 5' (porch will be enclosed for bath and entrance.) Site inspection voted for Sat. Jan 24th.

Application 2-87 - Joseph McGady - 52 Marcellus Ave.

Wants inground pool in yard - Construction Official sent to Board for variance, because 2 family house. Board voted variance not necessary, not considered a public pool. refund application fee 150.00.

New business:

Mr. Sullivan read a letter to the Board from Avon Hotel Corp. They wish relief from requirements of resolution that they construct poured concrete walls on the northerly and easterly side and portions of the westerly side of development on Sea Girt Avenue. Board instructed attorney to write letter stating if Avon Hotel is seeking an amendment to resolution they must submit a formal application to the Board of Adj. Mr. King objected to substitution on wall. He also stated that a final plat had never been submitted to Engineer. Mr. Ragan will ask for final plat and bond requirements.



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
MANASQUAN, N.J.

BOARD OF ADJUSTMENT

The Manasquan Board of Adjustment will hold their regular meeting on February 18, 1987, at 7:30 pm in Council Chambers, Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

Resolution - 10-87 - Richard Wight - 97 Main St.

Resolution - 21-86 - Charles Gerow - 512 Brielle Rd. *Proposed*

Application 24-86 - Gina Pharo - 306 E. Virginia Venue - cont'd

Application 1-87 - Stan Kaminski - 123 Atlantic Avenue - *CONT'D*

Application 3-87 - Richard Basso - 170 First Avenue, unit B

Application 4-87 - Donald Prior - 54 Ocean Avenue

Sam Yatter requested discussion of Special meeting for John Boyle.

Margaret Kazenmayer
Secretary to the Zoning Board
Of Adjustment

Dated at Manasquan
February 17, 1987


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
FEBRUARY 18, 1987
TOWN HALL, MANASQUAN, N. J.

The Chairman determined that a quorum was present and called the meeting to order at 8:05 P.M. In addition, Mr. King requested a roll call and advised that the meeting was being held in accordance with the Sunshine Act 1975 and had been properly advertised in the Asbury Park Press. Members present were Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, C. Raymond King, and James Mastrian. Mr. F. Blankenhorn, Esq., Marge Kazenmeyer and Karen Benson, Secy. were also in attendance.

The Chairman gave the Salute to the Flag and Mr. Blankenhorn administered the Oath of Office to Karen Benson, newly appointed Secretary to the Zoning Board of Adjustment.

The Chairman advised that the copies of the Minutes from the Special Meeting held on January 17, 1987 had been distributed to the membership and were properly posted. A motion was presented by James Mastrian to accept the Minutes, seconded by Mrs. Evelyn Wagner. The following vote was taken: Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, Ramond King, James Mastrian, in the affirmative, one (1) abstension, Leonard Sullivan.

Mr. King further advised that copies of Minutes dated January 21 had been distributed to the members and properly posted. A motion to accept the Minutes from the Regular Scheduled meeting dated January 21, 1987 was presented by Mr. Robert Griffith, seconded Mr. James Van Schoick. The motion was passed. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner and Raymond King, Yes.

Mr. King announced that Resolution 21-86, Charles Gerow - 512 Brielle Road will be held for the next meeting.

Resolution 10-87 - William and Richard Wight - Resolution Memorialization of the Board of Adjustment, Borough of Manasquan was read by the Attorney for the Board subject to conditions as stated in the certified copy. Mr. Blackenhorn stated he had made the necessary corrections which were read into the record. A motion to approve the corrected resolution was presented by Evelyn Wagner seconded by Mr. Mastrian. The motion was passed. Vote: Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, Raymond King, James Mastrian, Yes. Two (2) abstensions, Mr. Leonard Sullivan, and Mr. Samuel Yatter.

Application 24-86 (Cont.) Gina Pharo - 306 E. Virginia Avenue. A site-inspection was held on January 24. The membership discussed the proposed pool construction noting that it would take up most of the back yard. The Chairman suggested that the applicant come back with a revision after speaking with the pool company etc. The applicant agreed to waive the time limit. A motion was presented to continue the public hearing on 24-86 by Mr. Schneider seconded by Mr. Van Schoick. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Raymond King, James Mastrian, Yes. The motion was passed. One (1) abstension, Evelyn Wagner.

Application 1-87 (Cont.) Stan Kaminski - 123 Atlantic Avenue. The membership discussed occupancy limits, the importance of the first floor bedroom and present storage space. It was determined that the legal occupancy is 7 at the present time, without the third floor addition. Motion was presented to close the public hearing by Evelyn Wagner, seconded by Mr. Schneider. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, Raymond King, James Mastrian, Yes. The motion was carried.

A motion was offered by Mr. Van Schoick to grant variance for alteration and addition on the first floor only. Seconded, by Samuel Yatter. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, Raymond King, Yes. One (1) abstension, James Mastrian.

A motion to approve conversion of the 3rd floor was presented by Mr. Schneider, seconded, by Mr. Van Schoick with an occupancy of six (6). The applicant was asked if he would accept a 6 person limit and responded he would go along with the board's decision. A motion was made by Mr. Schneider, seconded by Mr. Van Schoick to amend the occupancy from six (6) to seven (7). Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, James Van Schoick, Evelyn Wagner, Raymond King, Yes. The motion was carried. One (1) No, R. Griffith. One (1) abstension, James Mastrian.

Application 12-87 - John and Susan Boyle, 355 First Avenue. Mr. Boyle explained to the membership that he is seeking a variance for an upward addition to his permanent residence and has requested a special meeting date to expedite the possible construction due to family needs. A motion was presented by Mr. King to hold a special meeting to hear hardship variance 12-87 on March 7 at 9:00 A.M. Mr. James Van Schoick would preside as chairman for the meeting. Mr. Mastrian requested a site inspection before the meeting. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner and James Mastrian, Yes. One (1) abstension, Raymond King.

Application 3-87 - Richard and Frances Basso, 170 First Avenue, Unit B Exhibits presented by Mr. Peter Kearns, attorney for the applicant were marked into evidence by Mr. Blackenhorn. Applicant is requesting permission to do certain interior structural changes, the purpose of which is to convert

MINUTES (Cont.)
February 18, 1987 - Page 3

Application 3-87 (Cont.),

from a seasonal to a year round residence for use by the applicant. No changes to the exterior are planned with the exception of new replacement windows. A site inspection was scheduled. A motion to continue the public hearing was presented by James Van Schoick, seconded by Samuel Yatter. All were in favor, the motion was passed. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, Raymond King and James Mastrian, Yes. The applicant agreed to waive the time requirement.

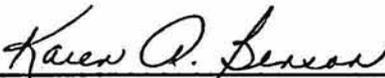
Application 4-87 - Donald Prior - 54 Ocean Avenue. Mr. Blackenhorn marked the exhibits presented into evidence and administered the oath to Mrs. Prior. The applicant is requesting a variance to expand a kitchen into the area of an existing side porch. The applicant shared with the board her future intentions for conversion to year round use. A site inspection was scheduled for Saturday, March 21st.

A motion to continue the public hearing was presented by Mr. Van Schoick, duly seconded. The motion was passed. Vote: Leonard Sullivan, Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, C. Raymond King and James Mastrian, Yes. The applicant agreed to waive the time limitation.

Mr. Mastrian advised he had been assigned to inspect construction/development of Chicant Corp. and reported that it didn't appear that the floor beams were going entirely across the newly enclosed foundation. He called the code *Constru.* enforcement officer and after a review of the resolution and site, a stop order had been issued.

A discussion was held concerning the scheduling of special meetings. It was suggested that the first Wednesday of the month be reserved as a possible "special meeting" date, if needed. Other suggestions included the need to keep the agenda to two (2) new applications per month and a 10:00 P.M. time limit on meetings.

There being no further business, the meeting was adjourned at 9:50 P.M.



Karen A. Benson, Secy. to the Zoning
Board of Adjustment


BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N. J.

BOARD OF ADJUSTMENT

The Manasquan Board of Adjustment will hold a Special Meeting on Saturday, March 7, 1987 at 9:00 A.M. in Council Chambers, 15 Taylor Avenue, Manasquan, N. J.

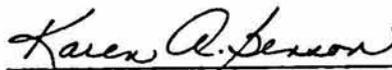
Formal action will be taken on the following:

Resolution 21-86 - Charles Gerow - 512 Brielle Road

Application 3-87 - Richard Basso - 170 First Avenue, Unit B

Application 12-87 - John Boyle - 355 First Avenue

Dated: March 1, 1987



Karen A. Benson, Secretary to
the Zoning Board of Adjustment

KB

**BOROUGH OF MANASQUAN**
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

MANASQUAN BOARD OF ADJUSTMENT

March 7, 1987 Meeting

Special Meeting

Council Chambers

15 Taylor Ave.

Manasquan, N. J.

A Special Meeting was called to order by Mr. James Van Schoick, Vice-Chairman in the absence of C. Raymond King, Chairman. The special meeting of the Board of Adjustment was called to order at 9:05 A.M. The following members were in attendance: Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, and James Mastrian. Mr. F. Blankenhorn, Esq. was also in attendance. Members not present were: Leonard Sullivan, Patricia Walsh and C. Raymond King.

It was noted there being a quorum present, the Vice-Chairperson gave the Salute to the Flag and announced that the meeting was held in accordance with the open public meetings act of 1975 and was advertised in the Coast Star.

Resolution 21-86 - Charles Gerow, Jr., 512 Brielle Road.

The motion to approve the resolution was moved by Evelyn Wagner, questioned by Mr. Mastrian. Page 1, paragraph 2, item #3: Applicant said two feet above the bottom of the front door. To be inserted as follows: 2 feet above grade level at front of garage. Paragraph 2, page 3 as follows: The construction should be exactly as presented to the Board, 2 ft. above the grade level at the front of the garage. A motion presented by Evelyn Wagner to approve the resolution as corrected. Seconded, Kenneth Schenider. All were in favor. The motion was carried. Voting in the affirmative: Samuel Yatter, Kenneth Schneider, Robert Griffith, James Van Schoick, Evelyn Wagner, James Mastrian.

The Chairperson reminded the applicant that the decision could be contested up to forty-five (45) days.

Application 3-87 - Richard Basso (Cont.) 170 1st Avenue, Unit B

In attendance was Francis Basso and representing Attorney. It was explained that members of the Zoning Board of Adjustment had participated in an on-site inspection of the property and a motion was made by Evelyn Wagner to close public hearing on same. Duly seconded and passed. All were in favor. Six (6) Affirmative.

A motion was presented by James Mastrian, seconded by Evelyn Wagner to draw a favorable resolution. The motion was passed. All were in favor. Six (6) Affirmative.

Resolution 3-87 - Richard Basso - The Resolution was read by Mr. Blankenhorn. First page - para. 1 - non-conforming use - change single to multi-. Page 2, continuation of paragraph 3 - lessen parking of cars. for possible tenants.

March 7, 1987 Special Meeting
MINUTES

A motion to approve the resolution was presented by Evelyn Wagner, duly seconded and passed. All were in favor. (Six) Affirmative.

Application 12-87 - John Boyle, (Cont.) 355 First Ave.

Mr. Blackenhorn administered the oath to the applicants, John and Susan Boyle. Mr. Blackenhorn advised the applicant that the hearing would proceed subject to receipt of the following: (1) Affidavit of Publication and (2) Notice sent to property owners. The applicant advised he had been told by the newspaper that the Affidavit of Publication would be forwarded and Mr. Blackenhorn reiterated that the hearing would proceed subject to receipt of the affidavit of publication and review of the notice to property owners which had not been received at the time of the hearing.

A site inspection had been made by some Board Members since the February 18th Meeting. Mr. Boyle advised the members present that he was seeking relief from the two foot offset so that the entire north wall could be built on an even plane. He further advised that due to a high water table problem, he is unable to build downward and also unable to purchase additional property. Mr. Boyle explained he would be occupying the residence year round and a motion to close the public hearing was presented by Samuel Yatter and seconded by Evelyn Wagner. Five (5) approved, one abstention, James Mastrian.

A motion to draw a favorable resolution was offered by Evelyn Wagner, seconded by Samuel Yatter. Five (5) approved, one abstention, James Mastrian. It was requested that the resolution be memorialized.

There being no further business, a motion was presented and duly seconded to adjourn the meeting at 9:45 A.M.



Karen Benson, Secretary
to the Zoning Board of
Adjustment

KB

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

On Wednesday, March 18, 1987 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, N. J.

Formal action will be taken on the following:

- Resolution 1-87 Stan Kaminski - 123 Atlantic Avenue
- Resolution 12-87 John Boyle - 355 First Avenue
- Application 24-86 (Cont.) - Gina Pharo - 306 E. Virginia Avenue
- Application 4-87 (Cont.) - Donald and Rachel Prior - 54 Ocean Avenue
- Application 6-87 John Borton - 474 Long Avenue
- Application 5-87 Paul Dawicki - 484 Brielle Road (Postponed at applicant's request to April's Meeting)
Karen Benson,
Secretary

Dated at Manasquan
March 13, 1987

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

MANASQUAN BOARD OF ADJUSTMENT
MINUTES

REGULAR MONTHLY MEETING

MARCH 18, 1987

TOWN HALL, MANASQUAN, N. J.

In the absence of the Chairperson, the regular scheduled meeting of the Zoning Board of Adjustment was called to order by Mr. Leonard Sullivan, Vice-Chairperson at 8:00 P.M.

The following members were in attendance: Robert Griffith, Leonard Sullivan, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh. Mr. Peter Ragan, Esq., Attorney for the Board, and Karen Benson, Board Secretary were also in attendance. Members not in attendance, Raymond King and Kenneth Schneider.

The Acting Chairperson determined that a quorum was present and gave the salute to the flag. In addition, it was noted that the meeting was held in accordance with the Open Public Meetings Act of 1975 and was advertised in the Coast Star.

A motion was offered by James Mastrian, seconded by Evelyn Wagner to approve the Minutes of the February 18th Meeting. The motion was carried. In addition a motion was presented to approve the minutes of the special meeting of March 7th. It was noted that Mr. James Van Schoick was not the Vice-Chairman but Chairman, pro tem. A motion was offered to amend the minutes by Evelyn Wagner and seconded by James Mastrian. All were in favor, the motion was carried. It was noted by the membership that the minutes were very fine.

Resolution 1-87 - Stan Kaminski - 123 Atlantic Avenue
Mr. Peter Ragan, Esq., read Resolution 1-87. A brief discussion of item #4 page 2 was held and a motion was offered to approve the Resolution by Robert Griffith, seconded, Evelyn Wagner. Vote: Yes, Leonard Sullivan, James Van Schoick, Evelyn Wagner, Samuel Yatter, Patricia Walsh. No, (2) Robert Griffith, James Mastrian. The motion was carried.

Resolution 12-87 John Boyle - 355 First Avenue
The Resolution was read by Mr. Ragan, Esq., and a motion was offered to approve the resolution by Mr. James Van Schoick, seconded Evelyn Wagner. Vote: Yes, Robert Griffith, James Van Schoick, Evelyn Wagner, Samuel Yatter, Patricia Walsh. Abstained (2), Leonard Sullivan and James Mastrian. The motion was carried.

Application 24-86 (Cont.) - Gina Pharo - 306 E. Virginia Avenue

It was noted that the applicant was not in attendance and Mr. Ragan recommended that the secretary forward a note advising applicant that failure to appear at the next meeting will result in dismissal of the application. A motion to adjourn application 24-86 was offered by James Mastrian, seconded by Patricia Walsh. Vote: All were in favor, the motion was carried.

Application 4-87 (Cont.) - Donald and Rachel Prior - 54 Ocean Avenue

The applicant, Mr. Donald Prior, was sworn in by Mr. Peter Ragan, Esq., Board Attorney. It was reported that a site inspection had been made of the property. The Board agreed the applicants request was reasonable and should be granted. A motion was presented to close the public hearing by Evelyn Wagner, seconded, James Van Schoick. All were in favor, the motion was carried.

A motion was offered by Evelyn Wagner, seconded by Robert Griffith to draw a favorable resolution for Application 4-87. All were in favor, the motion was carried.

Application 6-87 - John Borton - 474 Long Avenue

Mr. Ragan, Esq., marked the exhibits presented into evidence and administered the oath to Mr. Borton. Mr. Borton advised the Board that his present residence in Freehold has been sold and he will be permanently residing at 474 Long Avenue beginning in June. The applicant proposes an addition to the residence.

Mr. John Gassner, of Gassner and Lohnes, Inc. was sworn in by Mr. Ragan, and explained he has been contracted to complete an 18' x 14' sun room to the northeast rear wall. Other renovations to the structure which will be integrated into the new addition were also outlined. Mr. Gassner reported that the existing residence was built approximately 30-35 years ago approximately 2.7 feet from the east side yard line. The contractor advised they would like to construct the proposed addition directly in line with the existing east exterior foundation line which is in violation of the borough side yard setback ordinance. The latter requires 5 feet. The proposed addition would then appear as part of the existing home.

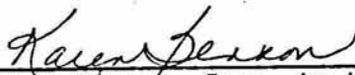
Mr. Gassner responded to a question and explained that the staircase (which is secondary) will be a minimum 4' in diameter, but advised he was not certain if it must meet a fire code. A site visit was scheduled for March 21st.

Application 5-87 - Paul Dawicki - 484 Brielle Road

Mr. Sullivan advised that a request to postpone the hearing to April 15 had been received from the applicant's Attorney. A motion to open the public hearing on Application 5-87 and adjourn it without further notification was presented by Evelyn Wagner and seconded James Van Schoick. All were in favor, the motion was carried.

There being no further business, the meeting was adjourned at 8:37 P.M.

KB


Karen Benson, Secy. to the Zoning
Board of Adjustment

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

On Wednesday, April 15, 1987 the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, New Jersey.

Formal action will be taken on the following:

Resolution 4-87 - Donald Prior - 54 Ocean Avenue

Resolution for Margaret Kazenmayer

Application 24-86 (Cont.) Gina Pharo - 306 E. Virginia Avenue

Application 6-87 (Cont.) Joan A. Borton - 474 Long Avenue

Application 5-87 - Paul Dawicki - 484 Brielle Avenue

Application 7-87 - Guzik/Ferrante - 80 Ocean Avenue \

Application 8-87 - Daniel and Susan Nalepa - 413 E. Main Street

Application 11-87 - William and Christine Pringle - 30 Deep Creek

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MONTHLY MEETING
April 15, 1987
TOWN 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 present. The following members were in attendance: C. Raymond King, Evelyn Wagner, Samuel Yatter, James Mastrian, Patricia Walsh, James Van Schoick, Kenneth Schneider and Robert Griffith. *Len Sullivan, absent.*

Mr. King noted the meeting was held in accordance with the Open Public Meeting Act of 1975 and was advertised in the Coast Star. The Chairperson requested approval of the March 18th Minutes and a correction was noted on the motion to approve resolution 1-87, correction to read "motion was offered to approve the resolution by Samuel Yatter."

A motion to approve the March 18th Minutes as amended above was presented by Evelyn Wagner and seconded by Patricia Walsh. Vote: Yes, Robert Griffith, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian and Patricia Walsh. Abstentions; C. Raymond King and Kenneth Schneider. (2)

Resolution 4-87 - Donald Prior - 54 Ocean Avenue

Mr. Peter Ragan, Esq., Board Attorney, read the resolution and a motion was offered to approve the resolution by Robert Griffith, seconded by Evelyn Wagner. Vote: Yes, Robert Griffith, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian and Patricia Walsh. The motion was passed. Abstentions; (2) C. Raymond King and Kenneth Schneider.

Resolution For Margaret Kazenmayer - 112 Wyckoff Avenue

On behalf of the Board, Mr. Ragan, Esq., read the resolution for Mrs. Margaret Kazenmayer of 112 Wyckoff Avenue recognizing her years of outstanding service to the Board. The motion to approve the resolution was made by James Van Schoick, seconded by Mr. Mastrian. All were in favor, the motion was carried.

A motion to adjourn the meeting at 11:00 P.M. was offered by Mr. Yatter and was seconded by Mr. Schneider. All were in favor. The motion was carried.

Application 24-86 (Cont.) - Gina Pharo - 306 E. Virginia Avenue

The Chairman advised that the case had been withdrawn at the applicant's request. A motion was presented by Kenneth Schneider, seconded by Patricia Walsh to refund one-third of the application fee. The motion was carried.

MINUTES (Cont.)

Application 24-86 (Cont.) Gina Pharo - 306 E. Virginia Avenue

Vote: Yes, Robert Griffith, C. Raymond King, Kenneth Schneider, James Van Schoick, Evelyn Wagner, James Mastrian, and Patricia Walsh. Samuel Yatter abstained.

Application 6-87 (Cont.) John A. Borton - 474 Long Avenue

A site inspection was made on March 21st of the subject's property and no objections were found to the application. A motion was offered to close the public hearing by Mr. Yatter, seconded by Patricia Walsh. The motion was carried. Vote: yes, Robert Griffith, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian and Patricia Walsh. Abstentions (2), C. Raymond King and Kenneth Schneider.

A motion was presented to draw a favorable resolution by Mr. Mastrian, seconded by Robert Griffith. The Chairman shared that the applicant had expressed a need to move in by the first week of June and requested a memorialization of the resolution. The motion was amended to include memorialization offered by Mr. Mastrian, seconded by Mr. Yatter. The motion was carried. Vote: yes, (6) Robert Griffith, James Van Schoick, Evelyn Wagner, Samuel Yatter, James Mastrian, and Patricia Walsh. Abstentions (2), C. Raymond King and Kenneth Schneider.

Application 5-87 - Paul Dawicki - 484 Brielle Avenue

Mr. Ragan, Esq., administered the oath to Mr. Paul T. Dawicki residing at #2 Tanbark Trail, Saddle River, N. J. 07458 and Mr. Frank E. Pannone residing at 92 Knickerbocker Road, Crestview, N. J. 07626. Also in attendance was Mr. Scott Thompson, Esq., representing the applicant from the firm Wilbert and Montenegro, Brick Town, N. J. Mr. Ragan, Esq., marked the exhibits presented into evidence.

Mr. Thompson, Esq. advised that the building which is a pre-existing two family structure, suffered a fire approximately a year ago in the second story, which resulted in severe damage to the interior. Mr. Thompson stated that although the fire damage to the second story was severe it did not alter the structural integrity of the building.

The applicant in rebuilding the structure, wishes to bring the structure into more conformity with existing codes (e.g., raise ceilings, increase the floor space, raise the roof in upper level, create more living space to two bedrooms and one bath.)

A Board Member inquired as to the present square footage. Mr. Pannone responded that the current square footage is 819.29 on the first and second floors. Mr. Pannone further clarified the reported square footage of the second floor to be 819.29 on the revised plan being submitted. The previous original square footage being 675 feet on the second floor.

Mr. Thompson, Esq., explained the applicant's position is that he is entitled to repair the structure in its present form as a non-conforming use but he hopes that by enlarging the second level to be in greater conformity with

Application 5-87 - Paul Dawicki - 484 Brielle Ave. (Cont.)

present codes, he will be able to eliminate seasonal tenants and attract yearly renters. A Board member questioned the overall height of the proposed building and Mr. Pannone responded that it was less than the maximum allowable 35ft. and is approximately 31 ft. as shown on the application.

At the suggestion of the applicant's attorney, Mr. Pannone shared professional qualification indicating that he is a licensed professional engineer in the State of New Jersey since 1962. In addition, Mr. Pannone is a professional planner, licensed since 1985.

Upon questioning by the applicant's attorney, Mr. Pannone described the proposed renovations. Mr. Pannone was questioned if he was familiar with parking accommodations at the subject site, off street. The engineer responded that there is ample facility in front to park a car on either side and there is a side area to permit access to the rear which can accommodate 3 to 4 more vehicles if necessary.

Mr. Pannone was queried as to the percentage of fire damage to the structure and he estimated the overall damage to the structure as minimal, in the neighborhood to 10 to 15%; most of which was water damage to the lower level, minimal structural damage to the upper level with overall damage to the structure of 25% to 30%. The planned improvement would not change the present footprint.

A Board Member asked if a fire official had given the percentage of value remaining after the fire and requested that it be obtained and submitted to the Board.

The Chairman questioned Mr. Pannone if he was knowledgeable of the Code definition of a half story. A discussion was held concerning the definition and its application to subject property. Mr. Pannone expressed his willingness to review and if necessary re-analyze the plans in compliance with the Code and resubmit as necessary.

The Board asked for a revised plan showing the first floor detail and the ingress and egress in relation to the second floor area.

The Board asked the audience if anyone had questions or comments for Mr. Pannone. Neighborhood residents questioned the parking in front of the building as to its adequacy within the property line. Mr. Pannone explained he felt the requirements could be met as stated in the proposed plan.

Mr. Paul Dawicki explained he had purchased the property approximately 3 years ago and felt the home was approximately 18 to 20 years old. The applicant explained that he has requested the variance to increase the floor space in order to provide more closets on the second floor and attract year-round residents. He provided the Board with a brief history of the home since he assumed ownership.

Application 5-87 - Paul Dawicki - 484 Brielle Avenue (Cont.)

Concerns were mentioned by the Board Members regarding an increase in occupancy and a need for additional parking spaces.

A motion to continue the public hearing was offered by Mr. Griffith, seconded by Mr. Schneider. All were in favor, the motion was carried. A site inspection of the property was scheduled for Saturday, April 25.

The Chairman requested that the following items be submitted for review: a) Bill/invoice for water and sewer charges, b) Parking layout, c) Certification from the fire inspector and d) Revised plans (including first floor).

Application 7-87 - Guzik/Ferrante - 80 Ocean Avenue

Mr. Ragan, Esq., administered the oath to Mr. Robert Ferrante, residing at 81 Oakwood Drive, Wayne, N. J. and Mr. J. Guzik of 80 Ocean Avenue, co-owners of the subject property. In addition, Mr. Ragan, Esq., marked the exhibits presented into evidence.

Mr. Ferrante advised the membership that he desires to change the roof line which will not increase the height of the building and construct an outside deck approximately 12 x 14 to the rear of the front premises. A site inspection of the subject property was scheduled for April 25. A motion to continue the public hearing was offered by Mr. Schneider, seconded by Patricia Walsh. All were in favor, the motion was carried.

Application 8-87 - Daniel and Susan Nalepa - 413 E. Main Street

Mr. Ragan, Esq., marked the exhibits into evidence and administered the oath to the applicants. Mr. Nalepa advised the membership that he has owned the premises for approximately three (3) years and is requesting to leave the recently constructed 5' fence in its present location. The applicant explained that due to a misinterpretation the privacy fence was constructed approximately 25 feet from the street line and approximately 15 feet from the property line. The requirement is 25 feet from the property line, the applicant explained and the present fence location is in non-compliance. A nearby resident shared she has seen the fence and does not offer any objection.

A motion to continue the public hearing was offered by Mr. Schneider and seconded by Mr. Van Schoick. A site inspection was scheduled for April 25.

Application 11-87 - William and Christine Pringle - 30 Deep Creek

Mr. William Pringle was sworn in by the Board Attorney and exhibits were properly marked in evidence. The applicant advised that the property presently has less than 1,000 square feet of living space and desires to construct an addition extending the two back rooms.

A motion to continue the public hearing was offered by Mr. Schneider, seconded by Evelyn Wagner. All were in favor, the motion was carried. A site inspection was scheduled for April 25.

The Chairman noted the following correspondence had been received and distributed to the Board: Memorandum regarding the Langella subdivision dated March 27 and March 30 received from the Borough Engineer, communication

received on April 9th from the Borough Engineer regarding the Avon Hotel Corp.

The membership discussed the correspondence received from The Draw Bridge dated April 10th, requesting an extension to complete landscaping and it was agreed that the business should comply with the previous recommendations by June 30.

The Board requested that the Secretary send a memo to the Construction Code Official and Code Enforcement Officer asking for a meeting with them on April 25.

The Chairman noted that correspondence had been received from the residents of Deep Creek Drive regarding Dyna Marine and also receipt of correspondence from the Code Enforcement Officer to Kenneth Indahl. An invitation was extended to the membership from the Chairman to attend a meeting on April 16, 3:30 to discuss the Board Secretary's duties and possibly streamlining the procedures presently being followed. Assignments were made to various Board Members for follow-up and inspection.

There being no further business, a motion was offered to adjourn the meeting at 10:30 P.M.

Karen Benson

Karen Benson, Secretary

KB

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

CONSTRUCTION OFFICIAL AND CODE ENFORCEMENT DEPARTMENT

BOARD OF ADJUSTMENT

On Wednesday, May 20, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N. J. will hold their regular meeting at 8:00 P.M. in Manasquan Boro Hall, 15 Taylor Avenue, Manasquan, New Jersey.

Formal action will be taken on the following:

Resolution 6-87 - John A. Borton - 474 Long Avenue

Application 5-87 (Cont.) - Paul Dawicki - 484 Brielle Avenue

Application 7-87 (Cont.) - Guzik/Ferrante - 80 Ocean Avenue

Application 8-87 (Cont.) - Daniel and Susan Nalepa - 413 E. Main Street

Application 11-87 (Cont.) - William and Christine Pringle - 30 Deep Creek

Application 13-87 - Carol Kenny - 352 East Virginia Avenue

Application 14-87 - Alonzo Nielsen - 324 E. Main Street

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
May 20, 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, James Van Schoick, Evelyn Wagner, Samuel Yatter, and James Mastrian. Attorney Ragan was present. Members absent were: Kenneth Schneider, Leonard Sullivan, and Patricia Walsh. The Board Secretary was absent.

Mr. King noted 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 April 15, 1987 Minutes that were amended to include:
Absent: Leonard Sullivan.

A motion was made by Evelyn Wagner to approve the minutes of the April 15, 1987 meeting as amended above. The motion was seconded by Samuel Yatter and carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Resolution 6-87 - John A. Borton - 474 Long Avenue

Mr. W. Peter Ragan, Esq., Board Attorney, read the Resolution Memorialization of the Board of Adjustment, Borough of Manasquan subject to conditions as stated in the certified copy. James Mastrian made a motion to approve the Resolution Memorialization and the motion was seconded by Samuel Yatter. The motion was carried by the following vote: "Yes" Board Members Griffith, Van Schoick, Wagner, Yatter, Mastrian. "No" none. C. Raymond King abstained.

Application 5-87 (Cont.) - Paul Dawicki - 484 Brielle Road

Attorney Scott Thompson and Engineer Frank Pannone appeared for the applicant. A site inspection had been held on April 25, 1987 at 9:00 a.m. Attorney Scott Thompson requested that information from the previous hearing be reviewed. The Board presented the facts from the previous hearing; This dwelling was on the tax rolls for water and sewer for one unit only. The Fire Inspector had reported that there had been 90% fire damage to the interior of the dwelling and 10% structural damage. Revised plans were to be submitted. The Board discussed the water and sewer problem, extent of fire damage, parking, and expansion -non-conforming use of the third floor. A motion was made by Samuel Yatter to close the public hearing seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter, and Mastrian. "No" none. On request of the applicant, Paul Dawicki, a motion was made to reopen the

public hearing by Samuel Yatter and seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Application 7-87 (Cont.) - Guzik/Ferrante - 80 Ocean Avenue

A site inspection had been held on April 25, 1987 at 9:30 a.m. The Board Members discussed the problem of construction without a building permit.

A motion was made to close the public hearing by James Mastrian and seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

A motion was made to draw up a favorable Resolution Memorialization with recommendation to the Construction Code Official to fine not more than \$500.00 by Evelyn Wagner and seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Application 8-87 (Cont.) - Daniel and Susan Nalepa - 413 E. Main Street

A site inspection had been held at 10:00 a.m. April 25, 1987. After discussion of the application, a motion was made to close the public hearing and draw up a favorable Resolution by James Van Schoick and seconded by Evelyn Wagner.

Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter, and Mastrian. "No" none.

Application 11-87 (Cont.) - William & Christine Pringle - 30 Deep Creek Drive

A site inspection had been done on April 25, 1987 at 10:30 a.m. The Board Members discussed the application and noted that the adjacent property was wetlands and PUD.

A motion was made to close the public hearing and draw up a favorable Resolution by James Van Schoick and seconded by Samuel Yatter. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

NEW APPLICATIONS:

Application 13-87 - Carol Kenny - 352 East Virginia Avenue

The Board Members discussed the application regarding a proposed deck and the problem of rear yard set-back.

A motion was made to continue the public hearing with individual site inspections by Evelyn Wagner and seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Application 14-87 - Alonzo Nielsen - 324 E. Main Street

Members of the Board discussed the application for construction of a deck and entrance - a non-conforming use. A motion was made to close the public hearing and draw up a favorable Resolution by James Van Schoick and seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

OLD BUSINESS:

Chicant Application - Attorney Ragan will see the Construction Code Official and inform him that the Board Members are adamant in respect to any enlargement or expansion of the Resolution. A motion was made to approve this decision by James Mastrian and seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Assignment:

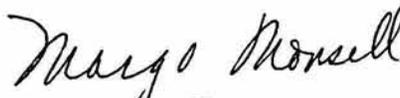
Robert Griffith - Application 6-87 - John A. Borton - 474 Long Avenue

A copy of a letter dated May 4, 1987, from Jean Lee, Secretary of the Chamber of Commerce re: Existing parking requirements and developmental board applications, will be sent to the Mayor and Council.

A letter was received from Karen Benson resigning as Board of Adjustment Secretary.

There being no further business, at 10:00 p.m. a motion was made to adjourn the meeting by James Van Schoick, seconded by Evelyn Wagner. Motion was carried by the following vote: "Yes" Board Members King, Griffith, Van Schoick, Wagner, Yatter and Mastrian. "No" none.

Respectfully submitted,



Margo Monsell

Secretary to the Zoning Board of Adjustment

BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk

BOARD OF ADJUSTMENT

On Wednesday, June 17th, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

Formal action will be taken on the following:

Resolution 7-87 - Guzik & Ferrante - 80 Ocean Avenue

Resolution 8-87 - Daniel & Susan Nalepa - 413 E. Main Street

Resolution 11-87 - William & Christine Pringle - 30 Deep Creek Drive

Resolution 14-87 - Alonzo Nielsen - 324 E. Main Street

Application 5-87 (Cont.) - Paul Dawicki - 484 Brielle Road

Application 13-87 (Cont.) - Carol Kenny - 352 E. Virginia Avenue

Application 15-87 - James & Mary Ann Monaghan - 9 Lockwood Avenue

Application 16-87 - Elbert M. Hoppenstedt - 39 Beachfront

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

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, July 15, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

Resolution - 5-87 - Paul Dawicki - 484 Brielle Road

Resolution - 13-87 - Carol Kenny - 352 E. Virginia Avenue

Application 15-87 (Cont.) - James & Mary Ann Monaghan - 9 Lockwood Avenue

Application 16-87 (Cont.) - Elbert M. Hoppenstedt - 39 Beachfront

Application 17-87 - John Stemmerman - 310 Cedar Avenue

Application 18-87 - Thomas Haring - 285 Beachfront

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 been 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.

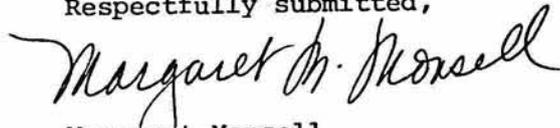
The Chairman inquired about the status of the Chicant application. The Secretary advised the Chairman and the Board that no new application had been submitted at this time.

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, N.J.

BOARD OF ADJUSTMENT

On Wednesday, August 19, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

- Resolution - Elbert M. Hoppenstedt - 39 Beachfront #16-87
- Application 15 - 87 (Cont.) - James & Mary Ann Monaghan - 9 Lockwood Avenue
- Application 17 - 87 (Cont.) - John Stemmerman - 310 Cedar Avenue
- Application 18 - 87 (Cont.) - Thomas Haring - 285 Beachfront
- New Application - 19 - 87 - Gloria & Ray Mosher - 289 Beachfront
- New Application - 20 - 87 - T.S. & Marguerite Griffiths - 52 First Avenue
- New Application - 24 - 87 - Allen & Elaine Steiner & Bianca Franchi - 27 Beachfront

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
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.

BOARD OF ADJUSTMENT

On Wednesday, September 16, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

- Resolution - 15-87 - James & Mary Ann Monaghan - 9 Lockwood Avenue
- Resolution & Memorialization - 17-87 - John Stemmerman - 310 Cedar Avenue
- Resolution - 18-87 - Thomas Haring - 285 Beachfront
- Application - 19-87 (Cont.) - Gloria & Raymond Mosher - 289 Beachfront
- Application - 20-87 (Cont.) - Thomas & Marguerite Griffiths - 52 First Ave.
- Application - 24-87 (Cont.) - Allan & Elaine Steiner/Bianca Franchi - 27 Beachfront
- New Application 21-37 - Jean Certosimo - 400 Euclid Avenue
- Application 25-87 - Chicant Corp. - 165 Beachfront

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
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 Mastrain, 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

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, N.J.

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 Jaspan - 91 Main Street

Attorney Robert Levy and Donald Jaspan 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 waiver 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 multi-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



BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

BOARD OF ADJUSTMENT

AGENDA

On Wednesday, November 18, 1987, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 7:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

7:00 p.m. Interviews for the Position of Attorney to the Board of Adjustment

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING at 8:00 p.m.

Resolution - 21-87 Jean Certosimo - 400 Euclid Avenue

Application 25-87 (Cont.) - Chicant Corporation - 165 Beachfront

Application 22-87 (Cont.) - Donald & Ann Jaspan - 91 Main Street

Application 23-87 (Cont.) - Gary Smith - 42½ North Mian Street

Application 26-87 - Walter Carlson - 199 Third Avenue

Application 27-87 - Richard Mueller - 79,81,83 Beachfront

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
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.

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. Jaspán, 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. Jaspán 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. Jaspán 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.

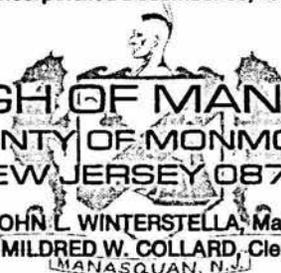
A motion was made by Patricia Walsh, and seconded by Mr. Sullivan to hold a Special Meeting December 16, 1987 at 7:00 p.m. to interview any new candidates for the position. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter, 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,


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
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.

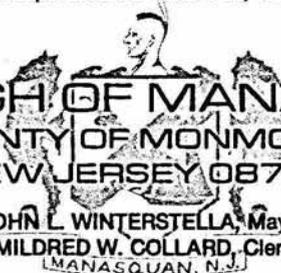
The Board Secretary was asked to contact the two candidates and arrange to have them meet the Board at 7:30 p.m. on January 20th at a Special Meeting. The Secretary was also instructed to advertise a Special Meeting.

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


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, December 16, 1987 the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

SPECIAL MEETING - Executive Session - 7:00 p.m.

Interviews for Board of Adjustment Attorney

REGULAR MEETING - 8:00 p.m.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

Resolution 23-87 - Gary Smith - 42½ North Main Street

Resolution 26-87 - Walter Carlson - 199 Third Avenue

Application 24-87 (Cont.) - Alan Steiner/Bianca Franchi - 27 Beachfront

Application 25-87 (Cont.) - Chicant Corp. - 165 Beachfront

Application 22-87 (Cont.) - Donald & Ann Jaspan - 91 Main Street

Application 27-87 (Cont.) - Richard Mueller - 79,81,83 Beachfront

Application 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Application 29-87 - Thomas Trezza - Third Avenue

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
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.

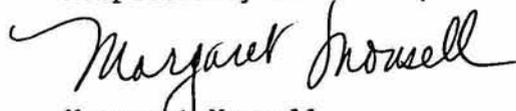
A member of the audience asked if there could be copies of the minutes of the previous meeting available to the audience to follow the hearings more easily.

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

Margaret Monsell

AMENDMENT TO NOVEMBER 18, 1987 MINUTES

Application 25-87 (Cont.) - Chicant Corporation - 165 Beachfront

Mr Kevin Thomas, Attorney, represented the applicant. Mr. Thomas requested that Mr. Albert Ratz be asked to testify in regard to his interpretation of the flood zone that the building was located in. Mr. Ratz explained his method of calculation of the flood zone and also the percent of renovations that had been done on the building based on the plans that had been submitted to him. He explained that he based his determination of the percentage of renovation on the Uniform Construction Code system of evaluating the fair market value on square footage.

The Board Members questioned Mr. Ratz regarding his decision if the line was positioned through the property. He answered that if the line ran through the building, it would be considered to be in the high hazard zone.

Mr. Ratz suggested that they carry out the Borough Engineer's recommendation that the question of the flood zone location in regard to the building in question be referred to FEMA for a final determination.

Mr. Thomas called Mr. Ray Carpenter, Engineer, to testify. He again testified on his experience and explained his determination that the building was in an A Zone, according to his understanding of the FEMA maps.

After hearing the testimony of Mr. Ratz and Mr. Carpenter with conflicting opinions, the Board felt they were in the difficult position of having to decide whether Mr. Ratz or Mr. Carpenter were correct in their calculations and determinations.

Mr. Thomas called Mrs. Judy Delaney-Shirley, 33 Fisk Street, Manasquan, a licensed real estate broker and salesperson, to testify as to the market value of the building in question. Mrs. Shirley gave comparables on leased land in the surrounding area that had been recently sold. She valued the property involved in this application at about \$185,000 to \$190,000.

Mr. Thomas summed up his case for the application.

The Board discussed the dilemma of deciding the case with two different opinions by the professionals. However, since the burden of proof is on the applicant, it would be their responsibility to contact FEMA and get a determination from them

Mr. Thomas offered to waive the time limit on the variance and to assume the responsibility of contacting FEMA to get a determination from them.

Mr. Leonard Sullivan made a motion to continue the hearing at the next meeting seconded by Mrs. Patricia Walsh. Motion was carried by the following vote: "Yes" Board Members C. Raymond King, Kenneth Schneider, Leonard Sullivan, Samuel Yatter Patricia Walsh. "No" James Mastrian.

1988



BOROUGH OF MANASQUAN
COUNTY OF MONMOUTH
NEW JERSEY 08736

JOHN L. WINTERSTELLA, Mayor
MILDRED W. COLLARD, Clerk
MANASQUAN, N.J.

SPECIAL MEETING

BOARD OF ADJUSTMENT

On Wednesday, January 20, 1988, the Zoning Board of Adjustment of the Borough of Manasquan, N.J., will hold a Special Reorganization Meeting at 7:00 p.m. and also an Executive Session for final interviews of applicants for the position of Attorney to the Board of Adjustment.

- | | |
|-----------|---------------------------------------------------------------------|
| 7:00 p.m. | Interviews |
| 7:15 p.m. | Reorganization and final decision on appointment of Board Attorney. |
| 7:45 p.m. | Coffee & Dessert for outgoing members of the Board of Adjustment. |


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
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.

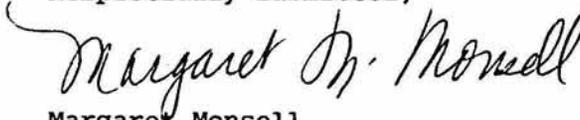
After the interview Mr. Byrnes was advised that he would be notified of the Board's decision later in the evening.

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



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, January 20, 1988, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

Resolution 24-87 - Alan Steiner/Bianca Franchi - 27 Beachfront

Resolution 27-87 - Richard Mueller - 79,81,83 Beachfront

Application 25-87(Cont.) - Chicant Corp. - 165 Beachfront

Application 28-87(Cont.) - Walter & Susan Dreyer - 15 Riddle Way

Application 29-87(Cont.) - Thomas Trezza - Third Avenue

Application 1-88 - William Lawless - 568 Pike Avenue

Application 2-88 - Harry A. McEnroe & Margaret McEnroe - 52 Second Ave.

Application 4-88 - William & Adrienne J. Rogers - 30 Rogers Ave.

Application 22-87 - Donald & Ann Jaspan - 91 Main Street -
Request to rescind dismissal and reinstate
the application for a continued hearing.



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
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 preceeding 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, N.J.

BOARD OF ADJUSTMENT

On Wednesday, February 17, 1988, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 8:00 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

Resolution for Evelyn Wagner

Resolution for C. Raymond King

Resolution 24-87 - Alan Steiner/Bianca Franchi - 27 Beachfront

Resolution 27-87 - Richard Mueller - 79,81,83 Beachfront

Resolution 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Application 25-87 (Cont.) - Chicant Corp. - 165 Beachfront

Resignations of Samuel Yatter
Leonard Sullivan

Swearing in of new member Edward Lyons

Application 29-87 (Cont.) - Thomas Trezza - Third Avenue

Application 1-88 (Cont.) - William Lawless - 568 Pike Avenue

Application 2-88 (Cont.) - Harry A. & Margaret McEnroe - 52 Second Avenue

Application 4-88 (Cont.) - William & Adrienne Rogers - 52 Second Avenue

Application 3-88 - Alphons & Kathleen Kainer - 111 Beachfront

Application 4A-88 - Joseph Sullivan - 25 Captain's Court

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
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 consensus 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.

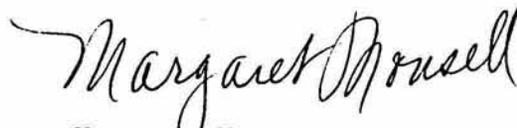
James Van Schoick made a motion that a site inspection be done on Saturday, February 20, 1988 at 9:30 a.m. and continue the hearing at the March 16th, 1988 meeting seconded by Robert Griffith. Motion was carried by the following vote: "Yes" Board members Griffith, Kazenmayer, Mastrian, Pincus, Schneider, 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, N.J.

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
MANASQUAN, N.J.

BOARD OF ADJUSTMENT

On Wednesday, March 16, 1988, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 7:30 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL BE TAKEN ON THE FOLLOWING:

Resolution for Samuel Yatter

Resolution for Leonard Sullivan

Resolution - 25-87 - Chicant Corporation - 165 Beachfront

Resolution - 2-88 - Harry A. & Margaret McEnroe - 52 Second Avenue

Resolution - 4-88 - William & Adrienne Rogers - 30 Rogers Avenue

Application 28-87 - Walter & Susan Dreyer - 15 Riddle Way

Application 1-88(Cont.) - William Lawless - 568 Pike Avenue

Application 3-88(Cont.) - Alphons & Kathleen Kainer - 111 Beachfront

Application 4A-88(Cont.) - Joseph Sullivan - 25 Captain's Court

Application 5-88 - Thomas Haring - 285 Beachfront

Application 6-88 - Eugene & Lucy Leahy - 475 Long Avenue

Application 7-88 - Laurence Lodato - 409 Beachfront

Application 4B-88(Cont.) - Donald & Ann Jaspán - 91 Main Street


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
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.

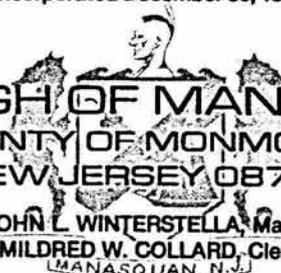
Kenneth Schneider made a motion to close the public hearing seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Schneider, Mastrian, Pincus, Lyons, Van Schoick.

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, N.J.

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.

BOARD OF ADJUSTMENT

On Wednesday, April 20, 1988, the Zoning Board of Adjustment of the Borough of Manasquan, N.J. will hold their regular meeting at 7:30 p.m. in Manasquan Borough Hall, 15 Taylor Avenue, Manasquan, New Jersey.

FORMAL ACTION WILL TAKEN ON THE FOLLOWING:

Resolution 1-88 - William Lawless - 568 Pike Avenue

Resolution 3-88 - Alphons & Kathleen Kainer - 111 Beachfront

Resolution 4A-88 - Joseph Sullivan - 25 Captain's Court

Resolution 6-88 - Eugene & Lucy Leahy - 475 Long Avenue

Resolution 7-88 - Laurence Lodato - 409 Beachfront

Resolution - 4B-88 - Donald & Ann Jaspan - 91 Main Street

Application 5-88 (Cont.) - Thomas Haring - 285 Beachfront

Application 7A-88 - Walter & Susan Dreyer - 15 Riddle Way

Application 8-88 - Kenneth Hartranft & Geraldine Finan


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.

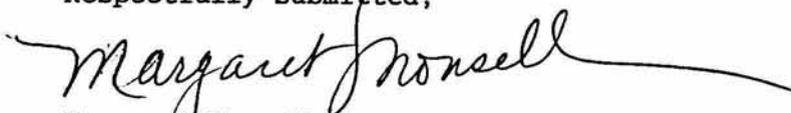
Attorney Byrnes agreed to research this and settle the problem prior to the next meeting.

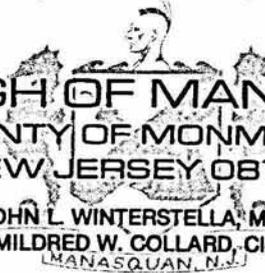
The Board Members discussed Mr. & Mrs. Dreyer's application and whether or not it was a use or hardship variance. The Board also agreed that the applications presented to the Board should state more clearly whether or not they were use or hardship variances giving the Board Members the information they 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, N.J.

MANASQUAN BOARD OF ADJUSTMENT
MINUTES
REGULAR MEETING
MAY 18, 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, Patricia Walsh, Christopher Trafford
Absent: Edward Lyons

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 read Resolution 5-88 - Thomas Haring - 285 Beachfront. There being no further comments on the Resolution, a motion was offered to approve the Resolution by Margaret Kazenmayer seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer Mastrian, Pincus, Van Schoick, Walsh, Trafford. "No" none.

Resolution 7A-88 - Walter & Susan Dreyer - 15 Riddle Way was read by Attorney William Byrnes. There being no further comments on the Resolution, Robert Griffith made a motion to approve the Resolution seconded by James Van Schoick. Motion was carried by the following vote: "Yes" Board Members Griffith, Van Schoick, Christopher Trafford. "No" Kazenmayer, Mastrian, Pincus. Mr. Mastrian questioned the Board Attorney regarding a tie vote and he advised that the tie vote was in favor of the applicant, therefore, the Resolution was approved.

Mr. Carton, Attorney for Mr. & Mrs. Dreyer asked if the Board Attorney had advised the Board of the research that he had done and he was informed that the Board had been given a letter from Mr. Byrnes regarding the research and his recommendations. Mr. Carton asked if the Dreyers could now receive a building permit for construction of the addition and he was informed that this Resolution would be sent to the Building Inspector and he would then issue the building permit.

The Chairman of the Board asked for a motion to accept the minutes of the last meeting. Robert Griffith made a motion to accept the minutes as submitted by the Secretary to the Board seconded by Margaret Kazenmayer. Motion was carried by the following vote: "Yes" Board Members Griffith, Kazenmayer, Mastrian, Pincus, Van Schoick, Trafford. "No" none.