

**Bradley Beach Zoning Board of Adjustment
Regular Meeting Minutes
Thursday, November 21, 2019 at 6:30 PM**

Meeting is called to order by Chair Rosenberg at 6:30 PM. The Board and the public recite the Pledge of Allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Michael Affuso, Robert Quinlan, Raymond Wade, Dennis Mayer, Deidre Phillips, Teresa Rosenberg (arrived 6:37 PM), David Critelli, Deborah Bruynell (arrived 6:37 PM), and Harvey Rosenberg

Absent: Dominic Carrea

Also Present: Mark G. Kitrick, Esq. - Attorney to the Board and Gerald Freda, PE, PP, CME – Board Engineer

Reappointed Board Members are sworn in by Mark Kitrick, Esq.

Chairman makes announcement as to how the meeting will proceed.

Approved Meeting Minutes:

October 17, 2019 Regular Meeting Minutes - Motion to accept offered by Harvey Rosenberg, seconded by Robert Quinlan, all eligible members in favor.

Resolutions Memorialized:

Resolution No. 2019-16 – Approval of Bulk Variance for New AC Unit – Caroline Riordan – Block 16, Lot 3 – 317 Newark Avenue

Resolution No. 2019-17 – Affirmation of Appeal of Zoning Officer’s Determination on 610 Evergreen Avenue – Kim & George Januzzi – Block 71, Lot 21 – 608 Evergreen Avenue

Applications Under Consideration:

ZB19/12 – (Bulk Variances for Additions to Single Family Dwelling) – Joseph & Carol Maselli – Block 14, Lot 34 – 120 Park Place Avenue – Applicants are proposing a 2 ½ story addition to the rear of the dwelling, a half-story addition, and a second story front porch along with a new patio and walkway removal of the existing shed.

Jeffrey Beekman, Esq. appeared on behalf of the Applicant.

Mary Hearn, AIA, William Jensen, Jr., PE, and Carol Maselli are sworn in along Board Engineer, Gerald Freda, PE

Public notice is reviewed and accepted.

****Teresa Rosenberg and Deborah Bruynell arrive at 6:37 PM****

Mr. Jensen – qualified and accepted by the Board. Mr. Jensen explains how the average setback was arrived at and that all setbacks are greater than the average.

Thomas J. Coan – 612 Third Avenue – asks if this is a conforming lot? Jeffrey Beekman indicates it is not a conforming lot and it will be addressed later.

Carol Maselli – owner – indicates they have owned the property for the past 4 years. They had looked into other properties but she was not sick at the time when this property was purchased. She indicates she now realizes the home requires modification for future accommodations such as a possible wheelchair or walker. The existing home has a deck over the bilco door access to the basement and they are unable to lift the access door anymore. They wish to put stairs inside for access to utilities in the basement. Difficulties have arisen and the bathroom is currently inaccessible with a walker and it is difficult to maneuver around the house.

Currently there is a shared driveway and they get along with the neighbors. Most of the time the car will be pulled into the driveway to unload and Uber is utilized most of the time.

The current shared driveway easement agreement is discussed.

Deborah Bruynell – questions whether there was ever interior access to the basement? Ms. Maselli indicates not that she is aware of.

Robert Quinlan – questions the ceiling height in the basement? It is indicated it is not know for sure, possibly 7-8 feet.

Michael Affuso – indicates if there are mobility concerns why are you going up a story as that does not seem to be helping the issue. Ms. Maselli indicates the space would be utilized for a future helper/caretaker.

Jeffrey Beekman indicates there are no surrounding lots available for purchase to add to lot to allow for off-street parking.

Robert Quinlan – Why is there not a full bath proposed for downstairs? Ms. Maselli indicates she does not think they can fit one.

Harvey Rosenberg – Why are there 5 bedrooms being proposed? Ms. Maselli indicates one is actually going to be utilized as an office and they are willing to remove the closet if required.

Deidre Phillips – questions the balcony being 16' x 9' and if it requires a variance. It is indicated no it does not as it is in the front of the home and it is an open, uncovered porch.

Mary Hearn, AIA – qualified and accepted by the Board. Ms. Hearn indicates she understands there are a lot of restrictions with this property. They have two (2) grown sons and they were hoping at some point they could move or come stay. The original thought was to include an elevator, but decided for a chair lift if and when required. This is a very narrow house, so generally you can only obtain 1 room wide. This design has been selected for open floor plan to allow for space. The basement ceiling height is currently 6'10" and there is no intent to finish, just access for service. Ms. Hearn proceeds to discuss the remainder of the plans/improvements and indicates the current home is non-compliant with current codes.

Robert Quinlan – questions AC condensers? Ms. Hearn indicates there are 2 condensers proposed and they will be in the rear yard area and will comply with the required setbacks.

Ms. Hearn proceeds to discuss the proposed elevations of the home. The east side of the home will comply with setbacks; however, the west side is where they would like to continue the horizontal plane following the existing line which will require a 4” variance. The existing lot size cannot be mitigated as there is no purchasable adjoining land; therefore, this is a pre-existing condition.

The height of the home will be increasing but will still be compliant. The distance of the gables and dormers from the front of the home were discussed.

The square footage of the “third floor” is questioned. It is indicated it is not a third floor it is a ½ story at 423 square feet.

Harvey Rosenberg – questions lot coverage and if it can be cured.

Jeffrey Beekman indicates he mentioned earlier the coverage is over by 123 s.f. which would require the removal of 7.5 feet. Ms. Hearn believes this design is the bare minimum for this family by increasing to a 2,100 s.f. home which is very modest for today’s standards.

The existing deck and patio are discussed. Impervious coverage is discussed and it is indicated they have taken up everything possible to try to comply.

The sizes of the bedrooms being proposed are discussed.

OPEN FOR PUBLIC COMMENT:

Robin Deflice – 111 Park Place – sworn in – in support of the application. She indicates this is a very small house and believes there are bigger houses on just as small lots. As far as the parking it is a neighborhood effort.

Thomas J. Coan – 612 Third Avenue – sworn in – confirms the variances requested – believes one of the best proposals we have seen in a while.

Jeffrey Beekman, Esq. provides a summation to the Board and requests they accept this proposal.

Based upon the application submitted and the testimony provided, Harvey Rosenberg makes a motion to approve the application as stated and presented with the condition that a stormwater emitter be placed in the yard and a crawl space be provided under the addition, moved and seconded by Robert Quinlan.

Those in favor: David Critelli, Michael Affuso, Deidre Phillips w/comment, Raymond Wade w/comment, Robert Quinlan w/comment, Dennis Mayer w/comment, and Harvey Rosenberg w/comment.

Those opposed: None.

Those abstained: None.

Those absent: Dominic Carrea

****THE BOARD TAKES A BRIEF RECESS AT 7:36 PM AND RETURNS AT 7:44 PM – ALL MEMBERS STILL PRESENT****

ZB19/13 – (Bulk Variances for Addition to Single Family Dwelling) – David Levitt – Block 50, Lot 13 – 200 Fifth Avenue – Applicant is proposing an attached garage addition and an open uncovered deck leading to the second floor above the open screened porch. Variances are required for rear yard setback, front yard setback, driveway length, and driveway width.

David Levitt and Tom Lavin, AIA – sworn in with Gerald Freda, PE

Mr. Levitt indicates he is requesting a 2nd floor porch on top of the 1st floor porch. There is a driveway alongside of the house and would like a garage for storage. It is indicated the existing shed will be removed. Mr. Levitt indicates he would like room for an extra refrigerator/freezer as currently they must go outside in order to get to the basement for same.

Gerald Freda, PE explains why there are setback variances for the porch due to the fact this is a corner lot. The garage is proposed to be attached to the principal dwelling on this corner lot with a curb cut. All variances are very minor. There is an existing 14 foot wide curb cut and we only permit a 12 foot wide curb cut; however, this is existing and will remain the same. The garage requires a rear yard setback. Variances are further discussed.

Exhibit A-1 – Photo of 115 Fifth Avenue

Exhibit A-2 – Photos of with Fifth Avenue and Beach Avenue views.

Siding and roofing are proposed to match the existing.

OPEN TO PUBLIC:

Charles Allia – 204 Fifth Avenue – questions if the porch is going exactly over the existing? It is indicated yes.

Deborah Bruynell – how does rock effect lot coverage? Per Jerry it is considered impervious

Mr. Levitt provides a closing statement

Based upon the application submitted and the testimony provided, Dennis Mayer makes a motion to approve the application with the condition that the garage be shifted and the existing shed removed, moved and seconded by Michael Affuso.

Those in favor: David Critelli w/comment, Michael Affuso w/comment, Deidre Phillips w/comment, Raymond Wade w/comment, Robert Quinlan w/comment, Dennis Mayer w/comment, and Harvey Rosenberg w/comment.

Those opposed: None.

Those abstained: None.

Those absent: Dominic Carrea

ADJOURNMENT:

WITH NO FURTHER BUSINESS BEFORE THE BOARD A MOTION TO ADJOURN WAS OFFERED BY CHAIR ROSENBERG AND SECONDED BY DENNIS MAYER, ALL IN FAVOR. MEETING CLOSED AT 8:10 PM.

NEXT SCHEDULED MEETING WILL BE OUR REGULAR MEETING ON THURSDAY, DECEMBER 19, 2019 AT 6:30 PM HERE IN THE MUNICIPAL COMPLEX MEETING ROOM.

Minutes submitted by Kristie Dickert, Board Secretary