

**Zoning Board Minutes**  
**Regular Meeting- Virtual**  
**June 23, 2020**

Announcement by the Chairperson that “the meeting is being held by electronic means in accordance with the “Open Public Meetings Act,” Chapter 231, Public Law 1975, amended 2020, which explicitly permits a public body to conduct meetings electronically during a state of emergency. Adequate notice of the meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary. In addition, a notice regarding this virtual meeting and instructions were published in the Asbury Park Press and the City of Asbury Park website. A copy of that notice is on file with the Board Secretary. The notices and the conduct of this meeting are in accordance with the guidelines for virtual meetings issued by the New Jersey Department of Community Affairs.”

Board Members in Attendance: Chris Avallone, Russell Lewis, Jill Potter, Brittany Ashman, Tim Szlyk, Daniel Harris, Christopher Gonzales, Catherine Minervini & Bonnie Nach

Board Members Absent:

Board Members Recused:

Board Staff: Jack Serpico (Board Attorney); Donna Miller (Board Planner), & Irina Gasparyan (Board Secretary)

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**A. Roll Call**

**B. Minutes:**

Approval of Minutes of June 9, 2020 regular virtual meeting

Motion to approve: Avallone      Second: Lewis      All eligible in favor

**C. Discussion:**

Amendment to Zoning Board Bylaws: addressing irrelevant testimony, questions and comments.

Motion to approve amendments: Avallone      Second: Lewis      All members vote in favor

**D. Applications:**

**1. 1302 Mattison, LLC      (CARRIED FROM May 26, 2020 without notice)**

**1302 Mattison Avenue, Block 1101 lot 23, R1A Zone**

**Use variance for three family structure, revised to exclude site plan for parking lot.**

Motion to carry application to August 11, 2020 without further notice: Lewis      Second: Ashman

All eligible members vote in favor

Chris Avallone recused from voting for this application only

APPLICATION CARRIED to August 11, 2020

**2. BBC Capital Group, LLC      (CARRIED FROM APRIL 28, 2020)**

**117 Borden Avenue, block 1101 lot 37, R1A Zone**

Appeal/Certificate of non-conformity for proposed 6-family residential with 2 structures on site.

Motion to carry application to July 14, 2020 without further notice: Avallone      Second: Lewis

All members vote in favor

APPLICATION CARRIED to July 14, 2020

**3. 1207 Bergh Street, LLC**

**1207 Bergh Street, Block 3505 Lot 7, R1 Zone**

Interpretation and/or Variance for proposed renovations to a two-family residence and garage.

Board professionals sworn in

Andrew Karas, attorney for applicant calls applicant and architect

Anthony Vandermark, architect and applicant, sworn in

Karas: Described property, there have been renovations to the building, with permits from zoning and building for work done so far.

Vandermark: Architect of record and one of owners of property. Owned since August 20. Yes, this is not rental or investment. It will be occupied by my family.

Karas: will be requesting an interpretation of whether this application warrants a D variance for expansion of non-conforming use. Call Anthony Vandermark

Exhibit A-1: Architectural plans dated 3/3/20

Vandermark: Described property condition when acquired. Poor conditions

Avallone: what is the small structure on side?

Vandermark: that was a garage/carriage house that was turned into illegal unit.

Exhibit A-3: photo renderings of proposed project

Vandermark: described all

Exhibit A-1: survey within architectural plans

Avallone: not increasing footprint?

Vandermark: decreasing building. Lessening intensity of property. Original property was top-bottom, was able to convert to side by side 2 family.

Karas: what are dimensions of garage?

Vandermark: sufficient for compact car. Original carriage house had full bathroom. Going to eliminate & just have ½ bath. Described exterior features, decks & balconies. Really needed private secure space for kids and dogs, think 2<sup>nd</sup> floor is that space. Existing house is structurally safe. Showed photographs. Showed original roof tear-offs.

Avallone: where will hvac go?

Vandermark: located on flat section of roof above 2<sup>nd</sup> floor. One of comments in report was to screen, we will of course screen w/ Azek

Avallone: roof is black metal? Is that usual for neighborhood? Not typical.

Donna Miller, board planner, sworn in

Miller: roof is identified as a design exception.

Vandermark: in arch guidelines in WRP, it spec states that the guidelines could be modern expression. I believe it would be

Karas: would you agree that WRP is basically subjective based upon interpretation.

Vandermark: in guidelines have noted galvanized metal, not too far off.

Avallone: something for board to have to consider.

Lewis: this is in the Waterfront infill area.

Nach: why did go with metal roof? Noisy? Last longer?

Vandermark: do get longer lifespan, but also for expression & architectural. Don't think will get a heavy thumping at this pitch.

Minervini: have a metal roof & has high pitch & not loud at all.

Lewis: I have black windows & metal roof & admit that I put in metal roof because I wanted the sound.

Harris: we go to Florida a lot, even in hard rain, cannot hear the roof.

Gonzales: who's going to have access to 3<sup>rd</sup> floor? Also maintaining color?

Vandermark: brother has 2 kids, will have access to 3<sup>rd</sup>. yes, original house was white. We are keeping white

Miller: want to go back to clarify parking stall in garage- also a bathroom w/ shower stall, sink, & commode.

Vandermark: just testified that shower will be eliminated just remaining half bath.

Miller: is volume changing?

Vandermark: that dimension looks to be approx. 17'

Miller: if bathroom open & man door open, will be 14'. Want to bring attention to

Ashman: what is min requirement?

Miller: 17' is minimum.

Karas: we are ½' short

Vandermark: could create pocket door in bath.

Miller: board will have to find

Ashman: were there any plans to remove that bath?

Vandermark: intent was that since we have children,

Karas: nothing can be done about the width, the depth is appropriate.

Vandermark: can also swing man door out

Karas: will address that by changing man door to swing out & put pocket door in bath

Serpico: technically have non-conforming use with no parking

Karas: pg. 5 siding style.

Vandermark: have no problem putting in different plantings.

Karas: stormwater- can you comment

Vandermark: if add gutter to roofline at edge in front, not appropriate.

Ashman: what common for this area for gutters?

Miller: there is no common. historically wouldn't have gutters. Not sure what can do architecturally. Maybe do drain on side

Harris: is there going to be runoff in neighbors yard?

Miller: historically there is.

Serpico: can

Lewis: had testified there was some portion of structure to be covered? Do you have a rendering of that elevation?

Vandermark: Showed section of existing balcony that is proposed. No elevation, sorry

Ashman: any lights on rear of house?

Vandermark: none on back. Showed on plans the new railing in place of balcony.

Timothy Lynch: love what you're doing with house, dealt with water running off roof. Can we get any gutters on that side?

Vandermark: certainly, want to be a good neighbor, will try to find.

Serpico: typically any expansion of non-conforming use warrants a D2 variance. had a similar case, but its your call. If you determine it is a d2. Based on comments from board and neighbor, everyone likes the project.

Avallone: we can poll the board to see if they think this is an exacerbation of expansion of non-conforming use

Lewis: I do not

Ashman: happy that building coverage is going down. I don't think it is.

Potter: no

Serpico: why don't reiterate what I have:

Pocket door for garage bath

Garage man door swing out

Fence on south side will be changed from vinyl to wood solid fence

Reference to planner report- planters & landscape

Stormwater: planner recommendation- gutters to move water away from Mr. Lynch's side

Miller: neighbor asking on North side- have gutters

Ashman: was another part to stormwater I think impervious area- something more pervious

Miller: don't think we actually resolved

Vandermark: if board sees fit, not locked into concrete driveway.

Ashman: would strongly suggest something pervious

Serpico: everyone agree

Serpico: I believe we have addressed your concerns Mr. Lynch

Lynch: yes

Motion to approve application with conditions, vote as non-exasperation of non-conforming use: Avallone

Second: Lewis

All members vote in favor

APPLICATION APPROVED

Motion to Adjourn: Avallone Second: Ashman All in favor

Meeting Adjourned: 8:27pm