

Zoning Board Minutes
September 24, 2019

Announcement by the Chairman that the meeting is in compliance with the Open Public Meetings Act, Chapter 231, Public Law 1975. Adequate notice of this meeting has been provided to the Coaster and Asbury Park Press. All notices are on file with the Board Secretary.

Board Members in Attendance: Christopher Avallone, Russell Lewis, Eric Galipo, Brittany Ashman, Christopher Gonzales, Jill Potter, Tim Szlyk

Board Members Absent: Daniel Harris

Board Staff: Jack Serpico, Board Attorney; Donna Miller (CCH); Jason Fichter (Insite); Michele MacPhearson (State Shorthand); Irina Gasparyan, Board Secretary

Meeting begins 7:00pm

A. Minutes:

Approval of minutes of August 6, 2019

Motion to Approve: Avallone Second: Galipo All in favor

B. Resolutions:

1. 1321 Fourth Ave LLC, 1321 Fourth Avenue (Appeal)
Motion to approve: Avallone Second: Galipo All eligible members approve
2. 1321 Fourth Ave LLC, 1321 Fourth Avenue (Variance)
Motion to approve: Avallone Second: Galipo All eligible members approve
3. 510 Fifth Avenue, LLC, 510 Fifth Ave. (Correction)
Motion to approve: Avallone Second: Galipo All eligible members approve

C. Discussion: 2020 Zoning Board Meeting Schedule: Change 1st date in March to March 3, 2020. Will table to discuss with absent board members.

D. Applications:

1. **Advanced Development Group, LLC** **(carried from July 23, 2019)**
 300-302 First Avenue, block 3306 lots 2 & 3, R1 Zone
Site Plan, use variance, bulk variances for the construction of a five-story structure for 17 residential units with onsite parking.
Motion to carry to September 24, 2019: Avallone Second: Ashman
All members vote in favor

Application **CARRIED to October 8, 2019**

2. **Padraic Gallagher** **(carried from August 6, 2019)**
 1503 Park Avenue, block 3602 lot 12, R1 Zone
Bulk and use variances for construction of rear deck.
Motion to carry to September 24, 2019: Avallone Second: Galipo
All members vote in favor

Application **CARRIED to November 12, 2019**

3. 900 Cookman LLC **(carried from August 6, 2019)**

910 Cookman Avenue, block 704 lot 3, R3 Zone

Use variance for FAR, site plan and bulk variances for a three-family townhouse-style use.

Exhibit B-1: Letter from Kevin Kennedy, attorney for applicant, requesting hearing with a full board, waiving all time constraints.

Motion to carry to November 19, 2019: Avallone Second: Ashman

All members vote in favor

Application **CARRIED to November 12, 2019**

Motion to recess for 15 min: Avallone Second: Ashman

All in favor

7:26pm Roll Call

4. Vallario Properties, LLC **(carried from September 10, 2019)**

1000 Grand Avenue, block 3404 lot 14, PO Zone

Site Plan, bulk variances and waivers for three residential units.

Andrew Karas, attorney for applicant

Calls Joseph Walker, architect for applicant, sworn in

Board professionals sworn in

A-12 revised elevations A-1

A-13 revised Grand Ave. Elevation

A-14 revised 2nd Ave elevation

Avallone: review what was revised & why

Walker: described revised plans & elevations

Avallone: all ac covered?

Walker: yes

Galipo: have note that engineer and site plan didn't match, is still correct?

Lewis: not required to have handrail?

Walker: if more than 30"

Galipo: review parking, any changes?

Walker: no changes, 3 garages, not showing driveway on revised plans

Karas: still one curb cut, correct?

Walker: yes

Avallone: I like rendering

Lewis: like in last, more this time

Ashman: Q for donna- seems like there's still a lot design standards missing, what's required?

Miller: way they chose to style the building doesn't use same as the neighborhood. Specific point is no mansard roofs in neighborhood

Karas: can you address? Any mansard roofs in neighborhood?

Walker: 2 across street, one block east, not directly in neighborhood

Avallone: not a std design in the neighborhood

Ashman: don't they have to be 50% of block?

Miller: Yes. That's why they need variance.

Lewis: there is a reason for the design of roof this way, correct?

Avallone: hard to disagree

Ashman: besides roof, what else? Massing?

Miller: ordinance tells you to look at all houses on block. Many are function of size of bldg. could they do diff roof if smaller bldg. volume? We haven't been presented w that.

Galipo: arch style, not townhouse style, agree that Victorian style spans a lot.

Walker: could end up looking much worse trying to pick
Galipo: I think bldg. mass could be smaller, but significant amount of changes. Do think there's been attempt to be contextual
Ashman: what about planting plans?
Karas: some revisions to landscape. Will abide by recommendations
Lewis: looks like only 1 downspout in rendering.
Walker: show on one render, but not other. We can accommodate that change on post, if projects too much we can bring it in
Avallone: believe we did go over lighting mgmt..
Karas: yes did discuss
Avallone: anymore comments/Q's
Walker: no longer have outside garbage storage
Galipo: arch drawings have details for downspouts, what Russel & I are saying it looks like 2 different
Walker: pointed out on renderings
Karas: drawing will be consistent w plans
Open to public for questions
Werner Baumgartner: do we know what total encl sq. ft. of original bldg. vs. this bldg.?
Walker: existing FAR 6303sf
Josh Vallario, applicant sworn in
Vallario: 1st meeting- provided proof of previous status. Was a 4 family + Dr. office
Baumgartner: choosing to submit address as Grand Ave.
Avallone: not relevant
Baumgart: if this was 2 family, would you find it easier to meet design guidelines?
Karas: object
Avallone: not relevant to Mr. Walkers testimony. Limit to tonight's testimony
Ernest Mignoli: revisions tonight? Is it balcony on grand ave & addition of windows. No revisions on driveway side? 3 garages?
Walker: described changes
Karas: we've gone through that- modifications on grand ave. no modifications on 2nd ave side
Serpico: not correct. Didn't go from 6-7.
Karas: Call next witness
Kathryn Gregory, licensed professional planner for applicant, sworn in
Gregory: eliminated a lot of elements from when we began. When applied po zone, multifamily is permitted use
Part FAR discussion, talk about FAR. In MP calls to eliminate FAR, but we need it today. 3 props on this block 3405 that have FARs greater than this project.
Galipo: what's the source of data
Gregory: located lots in neighborhood with FARs.
Avallone: not similar lots, but we get the idea
Gregory: for bldg. design standards, I think we meet intent of section; read section. While don't meet each one of arch elements, we do meet enhance neighborhood. Pos/neg criteria- we do meet A, also create desirable visual element, also promote purpose C, E. Neg criteria- don't believe any detriment to neighborhood, curb cuts- down to 1 from 4.
Avallone: do appreciate those efforts
Gregory: believe we do meet both pos & neg criteria
Open to Qs from public regarding Ms. Gregory's testimony
Baumgartner: stated 13.5' . What is measurement to ground floor?
Gregory: measurement to edge of porch & edge of building
Galipo: basically asking for depth of porch
Baumgartner: what is measurement from 2nd ave side
Gregory: 18.3' to porch
Baum: what benefit does public derive from going into setback
Gregory: make parking in rear not noticeable
Baum: how is view corridor being affected by front setback?

Karas: already answered.

Baum: what significance would have if around other side. Wouldn't you pick properties on same block?

Gregory: as planner we typically look @ neighborhood

Ernest Mignoli: mentioned curb cuts- so basically eliminated one curb cut. On 2nd ave, eliminated 1 parking space?

Gregory: curb cut is 12', same as 1 car.

Mignoli: As a planner, does structure require use variance, parking on street?

Karas: no use variance required on this site

Mignoli: is part of plans, can it be part of conditions?

Avallone: no we can't do that

Karas: closing statement

Open to public comments Motion: Avallone Second: Lewis All in favor

Werner Baumgartner: city historian. AP oldest planned community. 25' setbacks have existed since city designed. Concerned that variances given for setback & how they're being measured. All bldgs. Since 1871 setbacks same & open porch in setback, always that way. Taking avg. of setback is incorrect. The setback is to protect view corridors. 2nd design element is style- this bldg. too big & too diff.

Ernest Mignoli: I totally agree w Baumgartner. Also consider height of bldg. dealings w zoning issues, out of character. If walk down the street, going to look out of place. Will set Precedents in zoning.

Lewis: No precedents in zoning.

Close public comments

Galipo: driveway changes are good, arch styles

Lewis: would agree

Ashman: q for donna miller- what was reason for removing far?

Miller: although mp reexam recommends no far, prop changing this zone to R2. There still would be FAR req.

Ashman: while still very large, I think far is very large. Eric?

Galipo: prev FAR is 0.7, now 0.8. prop vacant for very long time. Would like to see the lot used.

Lewis: challenging prop, where located, how laid out. In balance, looking at what we started with to now

Ashman: except far. What was first far?

Walker: 1.1 FAR

Gonzales: agree w historian to try to conserve bldg. unfortunate that couldn't preserve bldg. what is proposed here, I think only thing it can do is increase prop values

Avallone: applicant has been very accommodating. Personally, I would've loved large beautiful Victorian that was there, I appreciate it

Conditions:

Serpico: discussion about downspouts, compliance w/ stormwater management, std. conditions of everything related to engineer and planner reports. Donna's comment about consistency between arch plan & site plans, compliance w engineer report regarding landscape plan, sewer connections.

Compliance w/ landscape plan comments. Amend resolution to include it. Let's vote on it again with these conditions

Motion to approve w/ conditions: Galipo Second: Avallone

In Favor: Eric Galipo, Brittany Ashman, Christopher Gonzales, Jill Potter, Tim Szlyk, Russell Lewis, Chris Avallone

Opposed: none

Application **APPROVED**

Motion to adjourn: Avallone Second: Lewis All in favor

8:54 meeting adjourned