

MINUTES OF JACKSON ZONING BOARD JUNE 15, 2022

The June 15, 2022 Jackson Township Board of Adjustment Meeting was called to order at 7:02 p.m. with a salute to the flag by all present. Board Attorney Sean Gertner read the Open Public Meetings Act Statement and announced that adequate notice has been provided for this meeting.

ROLL CALL: Scott Najarian, Chairman; Stephen Costanzo, Vice Chairman (absent); Carl Book, Jr., Secretary; Lynne Bradley, Acting Secretary; James Hurley; Jeanine Fritch; John Spalthoff, Alt #1; Samara O'Neill, Alt #2 (will be arriving late)

Also Present: Sean Gertner, Board Attorney; Evan Hill, Board Engineer; Ernie Peters, Board Planner/Traffic consultant; Jeffrey Purpuro, Zoning Officer; Anthony Jacobs, Township I.T. Representative; Fran DiBella, King Reporting and Zoning Board Recording Secretary

Announcements:

1. **Upcoming 2022 ZB meeting dates** : July 20, 2022 (reorg & reg); August 3 & 17, September 7 & 21, October 5 & 19, November 2 & 16, December 7 & 21.

Upcoming 2023 ZB meeting dates : January 4 (reorg & reg), January 18, February 1 & 15, March 1 & 15, April 5 & 19, May 3 & 17, June 7 & 21. Motion/Bradley. Second/Book. Unanimous vote.

Payment of (2) Vouchers: Fran DiBella, recording secretary and King Reporting, court reporting services, for 06/15/22. Motion/Book. Second/Spalthoff. Voted yes: Book, Bradley, Spalthoff, O'Neill, Costanzo, Najarian

APPROVAL OF RESOLUTIONS:

- 2022-25: Highland Development Ventures, LLC, Block 21103, Lots 1-3 and 18-20, 4 N. Hope Chapel Road, granting preliminary and final major site plan approval, use variance & minor subdivision approval. Motion/Book. Second/Bradley. Voted Yes: Fritch, Hurley, Bradley, Spalthoff, Najarian
- 2022-26: Goldman, Block 15801, Lot 86, 2 Siena Drive, granting a variance to construct a fence. Motion/Book. Second/Bradley. Voted Yes: Fritch, Hurley, Bradley, Spalthoff, Najarian
- 2022-27: Rosner, Block 15804, Lot 1, 11 Siena Drive, granting a variance to construct a fence. Motion/Book. Second/Spalthoff. Voted Yes: Bradley, Spalthoff, O'Neill, Najarian
- 2022-28: Griffith, Block 103, Lot 94, 2 Hardwood Drive. Granting a variance to permit an existing fence to remain. Motion/Book. Second/Bradley. Voted Yes: Book, Fritch, Hurley, Bradley, Najarian.
- 2022-29: County Line Construction, Inc., Block 4402, Lot 73, Frank Applegate Road. Motion/Book. Second/Bradley. Voted yes: Book, Fritch, Hurley, Bradley Najarian.
- 2022-30: Santana, Block 17001, Lot 24, 257 Osprey Place. Granting approval of a variance to construct a single-family dwelling on an undersized lot.

Motion/Book. Second/Bradley. Voted Yes: Book, Hurley, Bradley, Spalthoff, Najarian.

- 2022-31: Vlahos, Block 2201, Lot 52, 643 Herman Road. Granting approval of a use variance. Motion/Book. Second/Bradley. Voted Yes: Book, Fritch, Hurley, Bradley, Najarian.

APPLICATIONS CARRIED:

4) Dubin Contracting, LLC/Abraham Jacobs, Variance 3394, will be carried to September 7, 2022, without further notice

Board professionals sworn in by Mr. Gertner

APPLICATIONS:

- Leah Birnhack, (Variance 3409), Block 16005, Lot 33, Zone RG-2, 16 Royal Grove Road, Applicant (sworn) seeking a variance for a 6' solid fence in the front yard area approximately 10' from sidewalk to have a playground on the the side for the kids and have a separate fence for the pool. Mr. Purporo explained because it's the front yard of a corner property, it triggers a variance. Mr. Hill explained that the fence doesn't cause any line-of-sight issues, it's outside the utility/landscape easement, and the proposed fence will be 10' off the property line from Knight Drive. Public portion opened/closed. Motion/Bradley. Second/Hurley. Voted yes: Book, Fritch, Hurley, Bradley, Spalthoff, O'Neill, Najarian.
- John & Stacey Reilly, (Variance 3417) Block 17301, Lot 5, 760 W. Veterans Road, Applicant John Reilly sworn and testified that he would like to install a detached garage at 10' to the rear yard because he's installing a pool and would still like enough of a play area for his children. The garage will house his hobby car collection. Public portion opened. Mr. Sean Bolinsky, 764 W. Veterans Highway, sworn and testified that applicants' deck and pool will be too close to his property and well and septic and he doesn't want to stare at a warehouse full of automobiles. Mr. Hurley asked Mr. Hill if the garage were rotated, would that still trigger a variance. Mr. Hill asked Mr. Bolinsky if the garage were 50' from the property line, would that suffice and he said yes. The application carried to July 30th because Mr. Reilly wanted more time to think about it and speak to his wife.
- Shira & Shneur Verschleiser, Block 21501, Lot 15, 109 White Road, Variance 3204-1. Mr. Verschleiser duly affirmed and testified that he would like to put a curtain surrounding his pool. His arguments are that it's not noticeable, it's far away from neighbors, it's in accordance with his religious beliefs, he has the consent of his neighbors, and it's a woven fabric that is hanging on a string. The board and the professionals agreed that they need more information: How high off the ground? What kind of material? Is it already installed? Are the poles already installed? Is it going to be constructed safely? Is it within the character of the neighborhood? Is the curtain opaque? What happens if a child gets into the pool and the view is blocked by the curtain? What happens if an elderly person has a heart attack in the pool and the view is blocked by the curtain? Could a strong wind blow the curtain over the fence? Application carried to July 20th meeting
- Swanborn, LLC, Block 20701/20801, Lots 3/1, 8 through 12, 15 through 18, and 28, Whitesville & East Veterans Road, Preliminary & Final Major Subdivision 662. Applicant's Attorney: John Giunco, Esq. Exhibits A-1 (aerial) A-2 (overall development plan) Witness No. 1, Ian Borden,

P.P., PDS Professional Services, sworn, credentials accepted, testified that the property is 158 acres surrounded by E. Veterans Hwy, S. Hope Chapel Road, Whitesville Road; three manmade lakes that do not require a buffer and maintained by the homeowners association; freshwater wetlands along the northern and southern side of the property which are accepted by Pinelands and require 175' buffer; RG-2 zone; 202 (new) single-family homes; one lot for house of worship; one recreational lot maintained by homeowners association; one sewer pump lot, two stormwater lots maintained by the homeowners association; public water/sewer; storm; the roadways will be maintained by the Township; all roadways comply with RSIS, will be 30' wide and sidewalks on both sides; the intersection of E. Veterans and South Hope Chapel Road will be improved in accordance with Ocean County Master Plan; single-car garage (minimum width of 10') and three offstreet parking spaces for an eight-bedroom house (minimum 10,000 SF). Phase I will be 78 single-family lots with six affordable **units**. Phase II will be 64 residential lots and 24 affordable units with connection to Denton Lane. Phase III is closest to E. Veteran's and Whitlock and contain 61 residential units 40 affordable units. Public portion opened. Cindi Zanki, 995 E. Veterans Highway, sworn, testified that the high density will be an issue for her because her main driveway is on E. Veterans and she has difficulty entering/exiting her driveway, and it's worse during rush hour or the morning commute; multiple accidents. Does the applicant have a plan where all the lighting is going to be because it's going to cause light pollution. Also, will the house of worship be nondenominational? Mr. Giunco clarified that it will be nominational. She had hoped it would be more inclusive of all types of religion. Meeting carried to September 7th to continue testimony from additional witnesses because of the lateness of the hour.

Motion to adjourn at 10:22 p.m. by all. Yes: Book, Bradley, Spalthoff, Najarian, O'Neill, Hurley, Fritch

Respectfully submitted by,
Fran DiBella
Zoning Board Recording Secretary