

**Bradley Beach Zoning Board of Adjustment  
701 Main Street  
Bradley Beach, NJ 07720  
732-776-2999 Ext. 1017**

**Regular Meeting Agenda – Meeting to Be Held Remotely Via ZOOM  
Thursday, December 17, 2020 at 6:30 PM**

This Regular Meeting of the Zoning Board of Adjustment will be taking place remotely via ZOOM and will commence at 6:30 PM at which time you may appear via Zoom and present any objection or questions you may have at the appropriate time. There will be no individuals present at Borough Hall due to current COVID-19 rules and regulations. Instructions on how to access the meeting via ZOOM are listed below:

**PUBLIC ACCESS TO ZOOM MEETING:**

To access the virtual hearing, you must join the ZOOM meeting. To join the ZOOM meeting, you will need access to a computer with internet access, a microphone, speakers, and camera and/or dial in through a mobile or land line phone to log into the meeting. To join the ZOOM meeting, click on the Join ZOOM Meeting link below and type in the Meeting ID and Password. You will join the meeting and be able to listen and view the evidence shared on the screen at the meeting and participate when permitted. You will also be able to access the files for the meeting on the Borough of Bradley Beach Website under Information, Meetings & Calendars, Calendar of Meetings, Zoning Board (December 17<sup>th</sup>) found here:

<http://www.bradleybeachnj.gov/cn/meetings/meetingdetail.cfm?mid=44919&tpid=13730>

Topic: Bradley Beach Zoning Board of Adjustment 12-17-2020  
Time: Dec 17, 2020 06:30 PM Eastern Time (US and Canada)

**Join Zoom Meeting**

<https://zoom.us/j/92832554022?pwd=cUNHVmRsdzBCMhZFTG1ib1gxS29QQT09>

**Meeting ID:** 928 3255 4022

**Passcode:** 204814

**One tap mobile**

+16465588656,,92832554022#,,,,,0#,,204814# US (New York)

+13017158592,,92832554022#,,,,,0#,,204814# US (Germantown)

**Dial by your location**

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

**Meeting ID:** 928 3255 4022

**Passcode:** 204814

Find your local number: <https://zoom.us/u/abuvcrqvSc>

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**PUBLIC PARTICIPATON IN ZOOM MEETING:**

You will be able to participate when the Board Chairman opens the meeting to the public for the public participation portion of the meeting at the end of testimony for each of the applicants and/or their professionals' for you to ask questions and/or cross examine these witnesses. The Board Chairman will later open to the public for comments at the end of testimony for each of the applications. Public comments will be limited to 5 minutes per person, and time is not transferable. If you have information or exhibits you wish to be considered and entered into the record, you will have to e-mail them to the Board Secretary [kdickert@bradleybeachnj.gov](mailto:kdickert@bradleybeachnj.gov) at least 72-hours in advance of the meeting so they may be placed on the Borough website and marked into evidence.

**PUBLIC ACCESS TO APPLICATION FILES:**

You will be able to access the application files that are shown in the meeting via the Borough of Bradley Beach Website here:

<http://www.bradleybeachnj.gov/cn/meetings/meetingdetail.cfm?mid=44919&tpid=13730>

**ALTERNATE ACCESS TO APPLICATION FILES:**

If you are unable to access the information for the application via computer, or need assistance in logging on or using this technology, you may contact the Board Secretary, Kristie Dickert, at 732-776-2999 Ext. 1017 or [kdickert@bradleybeachnj.gov](mailto:kdickert@bradleybeachnj.gov). If you would like to view the files in person, you may schedule an appointment with the Board Secretary. If you wish a particular file be e-mailed or mailed to you, you must request that with 72 hours advanced notice.

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**This Regular Meeting of the Bradley Beach Zoning Board of Adjustment is now called to order.**

At this time, we ask that everyone keep themselves muted until asked to speak and please silence all cell phones and other paging devices, as they are distracting to others.

**I. Open Public Meetings Act:**

The 48-hour notice, as required under the Open Public Meetings Act, has been met as notice of this meeting was emailed on November 16, 2020 and published in the Asbury Park Press, The Coast Star, and the Coaster, a copy has been placed on the bulletin board in the Borough Office, and a copy has been filed with the Borough Clerk.

**II. Roll Call:**

Michael Affuso	Raymond Wade	David Critelli
Robert Quinlan	Dennis Mayer	Deborah Bruynell
<del>Dominic Carrea</del> <b>EXCUSED</b>	Teresa Rosenberg	Harvey Rosenberg

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

**III. Correspondence: None.**

**IV. Approval and Adoption of Meeting Minutes from Regular Meeting of November 19, 2020**

Motion offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_

Alternates: David Critelli (Alt #1) \_\_\_\_\_ Deborah Bruynell (Alt #2) \_\_\_\_\_ Teresa Rosenberg (Alt #3) \_\_\_\_\_

Michael Affuso \_\_\_\_\_ Raymond Wade \_\_\_\_\_ Dominic Carrea N/A Robert Quinlan \_\_\_\_\_

Dennis Mayer \_\_\_\_\_ Harvey Rosenberg N/A

**V. Resolutions to be memorialized:**

**a. Resolution 2020-16 – Approval of Bulk Variances – Frank & Stacey Caponegro – Block 56, Lot 15 – 510 Fourth Avenue**

*Those Eligible: Robert Quinlan, Raymond Wade, Michael Affuso, David Critelli, Deborah Bruynell, Teresa Rosenberg, and Dennis Mayer*

**b. Resolution 2020-17 – Approval of Bulk Variances – Richard & Michelle Lee – Block 21, Lot 5 – 507 Park Place Avenue**

*Those Eligible: Robert Quinlan, Raymond Wade, Michael Affuso, David Critelli, Deborah Bruynell, Teresa Rosenberg, and Dennis Mayer*

**VI. Applications under consideration for this evening:**

- a. ZB20/11 – Steve & Linda Perrette – Block 85, Lot 17 – 5 Madison Avenue** – The Applicant is seeking approval for the installation of an inground swimming pool which will require bulk variances for rear yard setback, distance from the primary structure, distance from the accessory structure, as well

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as distance from the seasonal high water table to the bottom of the pool. **\*\*THIS APPLICATION WILL NOT BE HEARD THIS EVENING AS NOTICE DID NOT PUBLISH IN THE NEWSPAPER WITHIN THE REQUIRED TIME PERIOD; THEREFORE, THIS APPLICATION HAS BEEN RESCHEDULED FOR JANUARY 7, 2021 AND NEW NOTICE WILL BE PROVIDED\*\***

- b. **ZB20/19 – Joseph & Jane Miller – Block 71, Lot 16 – 600 Evergreen Avenue** – The Applicant has requested an amendment to Resolution #411-1-14-07. Said resolution required the Applicant to deed restrict the property to state the second floor kitchen is to be removed when the parents of the applicant no longer reside at the premises. The Applicant has indicated they have removed said kitchen and in order to move forward with the sale of their home, they need to file a new deed removing said restriction which requires an Amended Resolution from this Board. **\*\*HEARD AT SPECIAL MEETING OF DECEMBER 3, 2020\*\***
- c. **ZB20/17 – David Marco Ochy – Block 80, Lot 22 – 514 Monmouth Avenue** – The Applicant is seeking a bulk variance for the distance between a proposed spa (hot tub) and detached accessory structure.
- d. **ZB20/15 – Allen & Marilyn Levine – Block 48, Lot 2 – 413 Brinley Avenue** – The Applicant is seeking Bulk Variances and Use Variances to construct a new single family dwelling and garage apartment. Applicant is represented by Mark R. Aikins, Esq. **\*\*PARTIALLY HEARD ON SEPTEMBER 17, 2020 AND CARRIED TO NOVEMBER 17, 2020, FURTHER CARRIED TO THIS DATE WITHOUT FURTHER NOTICE\*\***
- e. **ZB20/04 – Irvington Manor, LLC – Block 37, Lot 2 – 217 McCabe Avenue** – The Applicant is seeking an Appeal of the Zoning Officer’s Determination with regard to adding a Hotel Use to the property. Applicant is represented by James T. Hundley, Esq. **\*\*THIS MATTER WAS ORIGINALLY SCHEDULED FOR JUNE 18, 2020 AS PER THE APPLICANT’S REQUEST, THEN AUGUST 20, 2020, THEN OCTOBER 15, 2020, THEN THIS DATE DUE TO DEFICIENT NOTICE BEING PROVIDED IN OCTOBER\*\***

**VII. Adjournment:**

- a. Next scheduled meeting will be our **Reorganization Meeting to be immediately followed by our Regular Meeting on Thursday, January 7, 2021 beginning at 6:30 PM** which will also take place via ZOOM. Please check our website for any updates regarding meeting location and/or meeting access as the links, meeting passwords, and meeting ID’s will change for each meeting that is held via ZOOM.
- b. With no further business before the Board a motion to adjourn was offered by \_\_\_\_\_ to be moved and seconded by \_\_\_\_\_, meeting closed at \_\_\_\_\_ PM.

**ZB20/11 – Steve & Linda Perrette – Block 85, Lot 17 – 5 Madison Avenue** – The Applicant is seeking approval for the installation of an inground swimming pool which will require bulk variances for rear yard setback, distance from the primary structure, distance from the accessory structure, as well as distance from the seasonal high water table to the bottom of the pool. **\*\*THIS APPLICATION WILL NOT BE HEARD THIS EVENING AS NOTICE DID NOT PUBLISH IN THE NEWSPAPER WITHIN THE REQUIRED TIME PERIOD; THEREFORE, THIS APPLICATION HAS BEEN RESCHEDULED FOR JANUARY 7, 2021 AND NEW NOTICE WILL BE PROVIDED\*\***

**BOARD NOTES:**

**RECEIVED REQUEST TO ADJOURN THIS MATTER TO JANUARY 7, 2020 DUE TO DEFICIENT NOTICE, NEW NOTICE WILL BE PROVIDED FOR THE JANUARY HEARING; THEREFORE THIS APPLICATION WILL NOT BE HEARD THIS EVENING\*\***

Motion made by \_\_\_\_\_ Seconded by: \_\_\_\_\_

Alternates: David Critelli (Alt #1) \_\_\_\_\_ Deborah Bruynell (Alt #2) \_\_\_\_\_ Teresa Rosenberg (Alt #3) \_\_\_\_\_

Michael Affuso \_\_\_\_\_ Raymond Wade \_\_\_\_\_ Dominic Carrea **N/A**

Robert Quinlan \_\_\_\_\_ Dennis Mayer \_\_\_\_\_ Harvey Rosenberg \_\_\_\_\_





**ZB20/15 – Allen & Marilyn Levine – Block 48, Lot 2 – 413 Brinley Avenue** – The Applicant is seeking Bulk Variances and Use Variances to construct a new single family dwelling and garage apartment. Applicant is represented by Mark R. Aikins, Esq. **\*\*PARTIALLY HEARD ON SEPTEMBER 17, 2020 AND CARRIED TO NOVEMBER 17, 2020, FURTHER CARRIED TO THIS DATE WITHOUT FURTHER NOTICE\*\***

Previously Enclosed: Application for Bulk & Use Variances (Received 8/14/2020)  
9/17/2020 Zoning Officer’s Denial (5/21/2020)  
Resolution 11-96  
Boundary and Topographic Survey (1/14/2020)  
Building Permit Plot Plan (2/3/2020)  
Architectural Plans (3/20/2020)

Previously Enclosed: Revised Building Permit Plot Plan (11/5/2020)  
11/17/2020 Revised Architectural Plans (Revision #6 9/24/2020)

**Currently Enclosed: Revised Architectural Plans (Revision #6 9/24/2020 “To Scale”)**

Prior Correspondence: Board Engineer’s Review Letter (9/10/2020)

**Current Correspondence: Board Engineer’s Review Letter (Revised 12/8/2020)**

**BOARD NOTES:**


Alternates: David Critelli (Alt #1) \_\_\_\_\_ Deborah Bruynell (Alt #2) \_\_\_\_\_ Teresa Rosenberg (Alt #3) \_\_\_\_\_  
Michael Affuso \_\_\_\_\_ Raymond Wade \_\_\_\_\_ Dominic Carrea N/A  
Robert Quinlan \_\_\_\_\_ Dennis Mayer \_\_\_\_\_ Harvey Rosenberg \_\_\_\_\_



**ZB20/04 – Irvington Manor, LLC – Block 37, Lot 2 – 217 McCabe Avenue –** The Applicant is seeking an Appeal of the Zoning Officer’s Determination with regard to adding a Hotel Use to the property. Applicant is represented by James T. Hundley, Esq. **\*\*THIS MATTER WAS ORIGINALLY SCHEDULED FOR JUNE 18, 2020 AS PER THE APPLICANT’S REQUEST, THEN AUGUST 20, 2020, THEN OCTOBER 15, 2020, THEN THIS DATE DUE TO DEFICIENT NOTICE BEING PROVIDED IN OCTOBER\*\***

Previously Enclosed: Cover Letter and Application for Appeal of Zoning Officer (Rec’d 2/13/2020)  
Denial of Zoning Permit (1/24/2020)  
June 24, 2004 Deed, Delpreore to Patruno  
July 28, 2015 Deed, Patruno to Irvington Manor, LLC  
2018 Borough of Bradley Beach Mercantile License  
December 1, 2017 Check 1404 Payable to Bradley Beach in amount of \$65.00  
December 31, 2018 Check  
Denial of Zoning Permit 3/23/2016  
Bradley Beach Planning Board – Development Application  
September 22, 2016 Denial of Site Plan – PB Application PB-B37-L2-01-16  
October 3, 2019 Order by the Honorable Lisa P. Thornton, AJSC

**BOARD NOTES:**


Alternates: David Critelli (Alt #1)\_\_\_\_\_ Deborah Bruynell (Alt #2) \_\_\_\_\_ Teresa Rosenberg (Alt #3) \_\_\_\_\_  
Michael Affuso \_\_\_\_\_ Raymond Wade \_\_\_\_\_ Dominic Carrea N/A  
Robert Quinlan \_\_\_\_\_ Dennis Mayer \_\_\_\_\_ Harvey Rosenberg \_\_\_\_\_