

**BOROUGH OF POINT PLEASANT  
ZONING BOARD OF ADJUSTMENT  
April 7, 2010**

The regular meeting of the Point Pleasant Zoning Board of Adjustment was called to Order by Chairman Jeffrey Schroeder at 7:00 P.M. Mr. Schroeder led the Salute to the Flag. He proceeded to open the meeting in compliance with the "Open Public Meetings Act".

**Roll Call Vote**

Members Present:

Mr. Seebald	Mr. Ganim	Mr. Seakan
Mr. Holman	Mr. Scarpello	Mr. Sutphen
Mr. Sabosik	Mr. Plum	Mr. Schroeder

Attorney: Mr. Jackson

Members Absent: Mrs. Kasper                      Ms. Thomson

Mr. Sutphen made a motion to accept the minutes of March 3, 2010 seconded by Mr. Ganim.

**Roll Call Vote**

Mr. Sabosik- Yes      Mr. Sutphen-Yes      Mr. Scarpello-Yes      Mr. Ganim-Yes  
Mr. Seebald-Yes

**Resolutions**

**10-03- Praschil- Block 166 Lot 9- 720 Beaver Dam Road- Lot Width**

Motion to memorialize was made by Mr. Seebald. Seconded by Mr. Ganim

**Roll Call Vote**

Mr. Sutphen- Yes      Mr. Sabosik- Yes      Mr. Seebald- Yes      Mr. Ganim- Yes  
Mr. Plum- Yes              Mr. Schroeder- Yes

**New Business**

**10-04- Palmieri- Block 342 Lot 13- 1511 Littlehill Road- Lot Width- Postponed Error in Application.**

Mr. Schroeder explained that this application was postponed due to an error in the notice to the residents. All residents within 200ft will be re-noticed.

**10-05- Jersey Shore Aikikai- Block 228.01 Lot 16- 2413 Bridge Avenue- Use Variance 7:02-7:42**

Mr. Popovitch attorney for the applicants, Brad and Paige Chapman, stated that he advertised the legal notice and noticed the residents that the meeting was being held at 2233 Bridge Ave opposed to the High School Auditorium. The Board secretary posted a notice at Borough Hall. Mr. Popovitch also had his secretary wait at Borough Hall to redirect anyone that possibly showed up to the High School.

Mr. Jackson stated it is ultimately up to the Board but he feels the steps taken are sufficient to proceed.

The Board agreed.

Mr. Popovitch explained that the applicants Brad and Paige Chapman currently run Jersey Shore Aikikai on Bridge Avenue and wish to move their business to 2413 Bridge Avenue. Mr. Burke, Zoning Officer, considers the use to be commercial recreation, which is not permitted in the zone, opposed to personal service therefore a use variance is required.

Mr. Brad Chapman and Mrs. Paige Chapman were sworn in.

Mr. Popovitch asked Mr. Chapman to explain what type of business he operates.

Mr. Chapman explained that he runs a Marshall Arts school for children and adults with multiple classes through out the day. The average class has ten students. The hours of operation are: Monday- Friday 4:00pm- 8:30pm Saturday 8:30am- 2:00pm Sunday 10:00am – 11:00pm. There is one full-time employee and one part-time employee on a regular basis. He has been in business for ten years.

Mr. Popovitch asked if there is off street parking at the current location.

Mr. Chapman replied yes but the parking is shared with other tenants. There is also an issue with the safety of the children. The current parking situation is not ideal.

A-1- was marked into evidence, site plan.

Mr. Popovitch stated that the property was approved with twelve parking spaces and classes are going to average ten people. Mr. Popovitch asked Mr. Chapman how many classes he holds a week.

Mr. Chapman replied twenty six classes a week. The parking at the new location would make the situation more manageable.

Mr. Popovitch asked if parents stay with their children during the class.

Mr. Chapman stated this is mostly a drop off operation. Some parents stay for the pre-school program but not for the other classes.

Mr. Popovitch asked if there would be an area designated for pick up and drop off only. He also asked if there would be employee parking designated in the back.

Mr. Chapman replied there would be a drop off/pick up area close to the front of the building for the safety of the children. There would be an area in the back for the employees to park.

Mr. Popovitch stated this is an obvious improvement. He then asked Mr. Chapman if he intended to increase the amount classes offered.

Mr. Chapman replied that is his intention. He is also looking to add a buffer between the classes so one group can leave and a new group can arrive with less confusion.

Mr. Popovitch asked if more classes would create more traffic.

Mr. Chapman replied no. It wouldn't be more people per class it would be additional classes. Again, this is mostly a drop off operation.

Mr. Popovitch asked if there are any similar businesses in the area.

Mr. Chapman replied yes. There is boot camp fitness on Bridge Avenue and another Marshall Arts studio on Rt. 88 and Bay Avenue.

Mr. Schroeder asked Mr. Chapman how many classes are held a day.

Mr. Chapman stated on average there are four classes a day. There is one class on Friday and a Tuesday afternoon class from 12:00pm-1:00pm for adults only, mostly for split shift police officers and firemen.

Mr. Sabosik asked about the parking for there special event schedule.

Mr. Chapman explained they do not have a lot of special events. There is a drop off summer camp program. If they do hold an event it is limited and there is a sign up sheet. The events are only for members.

Mr. Sabosik asked how many people attend the events.

Mr. Chapman replied approximately fifteen. There is only 800sq ft of mat area.

Mr. Sabosik stated he has seen children walking with their parents from Edgar Road.

Mr. Chapman explained that they compete with soccer games, the bagel store, etc. That is just for a typical class. There is no parking for anyone.

Mr. Schroeder asked if they intend to do any renovations to the building.

Mr. Chapman replied no, it is a nice setup.

Mr. Ganim questioned the size of the new building.

Mr. Chapman replied 2400sq ft. More room means a bigger mat which provides a safer environment for the students.

Mr. Popovitch stated the applicant is not expanding the size of his classes he may be adding additional classes.

Mr. Chapman stated would be hard to staff and conduct larger classes. The classes currently have a 1:3 ratio.

Mr. Ganim asked if there are issues with parking at the existing space.

Mr. Chapman replied absolutely. There is not only limited parking there are issues about where to park and where not to park.

Mr. Ganim asked if this is the only location he looked at.

Mr. Chapman replied no, he has been looking for three years and actually gave up. This building just became available and the location is convenient for the students and the ceilings are high enough.

Mr. Ganim asked how many kids ride their bikes to class.

Mr. Chapman replied maybe five- six students. He further explained that he did install a bike rack in the rear of his current location for students to securely park their bikes.

Mr. Seakan asked if they will be taking over all of the property.

Mr. Chapman replied yes.

Mr. Seakan explained that the front of the building appears there could be room for something else to operate.

Mr. Chapman replied no, that is not his intent.

Mr. Popovitch asked Mr. Chapman about signage on the new location.

Mr. Chapman stated he will be replacing the sign on the building.

Mr. Ganim asked if he looked at the environmental condition of the property.

Mr. Chapman replied no, he only spoke to the landlord.

Mr. Popovitch asked if the concrete floor is bare and does it appear to have oil stains?

Mr. Chapman replied yes it is bare and there a no stains, it is a clean floor.

Mr. Popovitch stated that the building is in a Commercial Multi Family Zone where commercial recreation is not permitted. In his opinion this is very similar to a personal service. The business is not going to create a traffic issue, is not an intrusive use, and there is no noise. He further asked the Board to approve the application.

Mr. Ganim asked the applicant if he got a variance to open the existing business.

Mr. Chapman stated it was previously a Marshall Arts business so no variance was needed.

### **Caucus**

Mr. Sabosik feels the new location will create a safer environment for the children. The current location is horrendous for parking. He also liked the idea of the time between classes. The owner runs a clean business. This is curing a problem.

Mr. Seebald agrees.

Mr. Plum stated it is a great location.

Mr. Scarpello likes the additional parking.

Mr. Ganim feels the new location is better not great. He would like to approve the application with the following conditions: parking the rear labeled for the employees, drop off/ pick up zone, bike rack, one occupant/ one user in the building.

Mr. Schroeder checked with the police and there is a problem with double parking on Bridge Avenue. This is a congested area. He would be in favor of the application.

Mr. Ganim stated the applicant has a ten year track record.

Mr. Ganim made a motion to approve the application with the following conditions: Parking area in the rear designated for employees, drop off/ pick up zone, bike rack, and one occupant/ one user in the building. Seconded by Mr. Seebald.

### **Roll Call Vote**

Mr. Sutphen- Yes      Mr. Sabosik- Yes      Mr. Seebald- Yes      Mr. Ganim- Yes  
Mr. Plum- Yes      Mr. Seakan - Yes      Mr. Schroeder- Yes

### **Vouchers**

#### **King, Kitrick & Jackson, LLC**

Praschil- \$41.25

Helb- \$618.75

Obrien v. PPBOA- \$2064.50

Velardi v. PPBOA- \$206.25

#### **Ocean Star**

General- \$49.65

Whittaker- \$11.27

Motion to pay was made by Mr. Seebald, seconded by Mr. Ganim. All were in favor

Mr. Sabosik made a motion to adjourn, seconded by Mr. Ganim. All were in favor. The meeting adjourned at 7:48pm

Respectfully submitted,

Sharon Bestine  
Zoning Board Secretary