

SPECIAL MASTER CODE ENFORCEMENT HEARING OF MARCH 10, 1998

MINUTES  
TOWN OF OCEAN RIDGE  
SPECIAL MASTER CODE ENFORCEMENT HEARING  
MARCH 10, 1998

Present: Special Master Randy Zeldin; Paul Nicoletti, Town Attorney; Gary Lanker, Town Manager/Building Official; Karen Hancsak, Town Clerk; Edward Hillery, Director of Public Safety; Stefan Katz, Public Safety Lt.

Meeting called to order at 8:30 A.M.

Special Master Randy Zeldin approved the minutes of Jan. 13, 1998.

A. REQUEST FOR MODIFICATION FROM ACTION TAKEN AT JAN. 13, 1998  
HEARING

CASE #CE97-7 David or Janet Cullen  
RE: 63 Spanish River Drive

Respondent was present and also represented by Jeffrey Begens, Esq.. The Special Master questioned if any stipulations were agreed upon during negotiations prior to the meeting commencing. Atty Nicoletti advised that they have agreed on the proposed stipulations.

Atty Nicoletti advised that the respondent was to comply with four specific items by a time certain and they have not complied with a couple of the stipulations. He stated that the respondent applied for the building permit two days late thus accruing \$200 in fines. He also stated that a variance application was required prior to Jan. 30, 1998, however, it was received Feb. 26, 1998. He added that the filling of the holes has been completed and construction was set to begin March 15, 1998.

Atty Nicoletti commented that the respondent's contractor had some confusion regarding the application for the Board of Adjustment hearing and acknowledged that they missed two opportunities to appear before the board and the next hearing date is set for April 8, 1998.

Atty Nicoletti advised that the town feels that the two day late filing of the building permit should carry the \$200 fine, however, the fine for the Board of Adjustment application should be nullified. He stated that the staff felt that new dates should be reestablished because of the March 15, 1998 deadline. He added that the Town Manager believed that a partial permit could be issued that does not affect the proposed variance area by the March 15, 1998 deadline thereby permitting work to commence and continue until the variance is heard. He also stated then that the only change to the Final Order would be to extend the April 17, 1998 date to April 30, 1998 for demolishing or removing the structure. He also recommended the same \$250.00 penalty per day after such date.

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Atty Begens agreed to these terms and added that his client should definitely have a Letter of Commitment by March 15, 1998.

The Special Master advised that he would waive the late application for the variance but not for the filing for the building permit. He added that the existing order would stay intact with the exception that paragraph 7 would be amended from April 17, 1998 to April 30, 1998 and he would forward same to the Town Clerk.

B. Adjourn

The meeting was adjourned at approximately 8:50 A.M.

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Town Clerk