

**RESOLUTION OF THE LITTLE EGG HARBOR
TOWNSHIP BOARD OF ADJUSTMENT
DENYING THE APPLICATION FOR BULK VARIANCE**

**RESOLUTION NO.: 2023-09
APPEAL APPLICATION NO.: 2023-01**

RE: TRISCHITTIA, JOSEPH AND DENISE
BLOCK 325.106, LOT 31
135 Hudson Drive
Application for Appeal of Determination Letter

WHEREAS, JOSEPH and DENISE TRISCHITTIA, whose mailing address is 17 Gilroy Street, Staten Island, New York 10309, seeks an Appeal to a Notice of Determination letter issued on March 18, 2023, by the Zoning Officer/Floodplain Manager, Mr. Mark Ellis, affecting premises located at Block 325.106, Lot 31, as shown on the Tax Map of the Township of Little Egg Harbor and otherwise known as 135 Hudson Drive, Little Egg Harbor, New Jersey; and

WHEREAS, a public hearing was held on said application on May 10, 2023, in the Municipal Building of the Township of Little Egg Harbor and testimony was presented on behalf of the applicant and all interested parties having been heard; and

WHEREAS, said Board having considered said application and testimony of the applicant, makes the following findings:

1. The property is owned by Joseph and Denise Trischittia.
2. The property in question is a single-family home located on a lagoon property, off Twin Lakes Boulevard. The structure suffered flood damage as a result of Super Storm Sandy in October, 2012. On March 18, 2013, a Notice of Determination letter was issued by the Zoning Officer/Floodplain Manager, Mr. Mark Ellis. This letter indicated that an application submitted by the owners along with an Engineers report from Mr. Jeff Daum, P.E., indicating damages to

the structure. Mr. Ellis found the damage to the structure did exceed 50% of the structure's value and the structure has been Substantially Damaged.

3. Applicant seeks an Appeal of the Notice of Determination letter prepared by the Township Zoning Officer and Floodplain Manager, Mr. Ellis, dated March 18, 2013. They claim that the damages did not exceed 50% of the value of the building structure.

4. The Applicant seeks relief from the Substantial Damage Determination, so they are able to sell the building without a Substantial Damage Designation.

5. The Applicant was represented by Eric LeBoeuf, Esquire.

6. Joseph Makin spoke for the applicant.

7. Based upon the foregoing evidence, the Board makes the following findings:

A. The Board finds that the Township Official consistently and properly reviewed the submission for the property Substantial Damage letter after Super Storm Sandy.

B. The Board rejected the Applicant's reliance on the Comparable Market Analysis as a measure of evidence for property damage.

C. The Board finds that the Applicant reaped the benefit of reduced taxes due to the designation.


NOW THEREFORE, BE IT RESOLVED, by the said Board that on this 14th day of June, 2023, based upon the findings herein above stated, the application is hereby denied.



GREG LESZEKA, Vice-Chairman
Little Egg Harbor Zoning Board of Adjustment

CERTIFICATION

The foregoing is a true copy of a memorializing resolution by said Board at its meeting of May 10, 2023, as copied from the minutes of said meeting.



Robin Schilling, Board Secretary
Little Egg Harbor Zoning Board of
Adjustment