

REGULAR MEETING OF THE EATONTOWN ZONING BOARD
July 11, , 2022 – in-person meeting

Call to Order

Chairman East called this in-person meeting to order at 7:00 p.m. and announced that the meeting had been advertised in accordance with the Open Public Meetings Act and had been noticed in the Asbury Park Press and the Star Ledger and a copy of the agenda for this meeting had been posted on the bulletin board in Borough Hall, and on the Borough website.

Roll Call

Members Present: Ch. East, VC Gilmore, Mr. Granata, Mr. Mednich, Mr. Anderson

Absent: Mr. Liszanckie, Ms. Faust, Ms. Faccione

Also present: Mr. Leckstein-Board Attorney. Ed Herrman- Board Engineer, McKinley Mertz – Board Planner and Colleen Matthews, Board Secretary;

Minutes

Motion is made by Vice-Chairman Gilmore and seconded by Mr. Anderson to memorialize the meeting minutes of June 13, 2022. All in Favor.

Ayes: VC Gilmore, Mr. Anderson, Ch. East, Mr. Granata

Nays: None

Absent: Mr. Liszanckie, Ms. Faust, Ms. Faccione

Resolutions to be Memorialized

ZB 2022-04 GSV Holding, LLC., d/b/a Garden State Veterinary Specialists

246 Industrial Way West, Blk 3502 lots 7 & 8

Bulk variances for 4 building signs where 2 are permitted and

Directional sign height of 4 feet where 2.5 feet is permitted

ZB 2022-01 Luiz Dos Santos

254 Clinton Avenue, Block 1303 lot 8

Seeking bulk variance approval for a retaining wall constructed without prior approval

Motion is made by VC Gilmore and seconded by Mr. Granata to memorialize both resolution.

Ayes: VC Gilmore, Mr. Granata, Ch. East, Mr. Anderson

Nays: None

Absent/Abstentions: Mr. Liszanckie, Ms. Faust, Mr. Mednick, Ms. Faccione

New Business

ZB 2022-08 S. Meeking & P. Corrente

18 Tess Court
Blk 1801 Lot 31
Side yard setback; front yard impervious coverage

Atty. Leckstein states that he has reviewed the notices and finds them deficient in that “pavilion” is not mentioned in the side yard setback variance request. Applicant will need to re-notice for the August 8, 2022 meeting. The notice should list the two variances requested as stated in the Denial of Application. Atty. Leckstein asks if anyone is in attendance for this application. There is no one in attendance for this application.

ZB 2022-05 Culmac Investors, Inc.

Walter Avenue Blk 3303 lot 1; and Herbert Parkway Blk 3304, lots 1 & 77; and Herbert Parkway, Blk 3304 lots 74-75 & 76
Lot consolidation and construction of a single family dwelling which requires a use variance

James J. Kinneally, III, Esq., states that he is representing the applicant in this matter. Atty. Leckstein states that there is not a full Board in attendance this evening and asks if the applicant wished to proceed with the use variance application. Atty. Kinneally states that he wishes to proceed.

Atty. Leckstein marks the following into evidence:

- A-1 Application to Land Use Board
- A-2 Ordinance # 32-2003 – Vacating a Portion of Hilbert Parkway in the Borough Eatontown
- A-3 Ordinance 10-2021 – Ordinance Authorizing the Acquisition of Property Located at 104 Lewis Street, Block 902, Lot 5 in Exchange for the Conveyance of Borough Property Located at Hilbert Parkway, Cortland Road and Wyckoff Road, Block 3304, Lots 1, 74, 75, 76 and 77; and Block 3303 lot 1.
- A-4 Concept plans
- A-5 Location survey

- B-1 T&M Engineer’s Review Letter
- B-2 Hyer & Gruel Planner’s Review Letter

Atty. Leckstein swears in the Board Professionals.

Atty. Kinneally states that he has one witness, the applicant Mr. Wayne Mackenrodt, President of Culmac Investors, LLC. Mr. Mackenrod was sworn in by Mr. Leckstein.

Atty. Kinneally reviews the history of this property and how it came under the ownership of the applicant as a result of Ordinance 10-2021. It is the applicant’s request that the lots be consolidated and that the area not designated as residential (P1) be granted a use variance so that he can sell the property as a buildable lot. It states in Ordinance 10-2021 that the property can only be used for a residential single family home.

Mr. Mackenrodt discusses the land swap details with the Borough involving his property at 104 Lewis Street and the lots that are the subject of this application.

Also, that if this application is granted, the future owner/builder of this property once sold, will have to meet R-10 criteria or seek relief from the Board as a condition of approval. Also, as a condition of approval, there will

need to be a mandatory sidewalk installation around the perimeter of the property that will be recorded with the Deed so that if the property is developed, the sidewalks will need to be installed.

Engineer Herrman reviews the lot consolidation including the right of way that was vacated in 2003.

Planner Mertz states that she is in agreement with the applicant's attorney that there need not be Planning testimony regarding the D-1 Use variance as it is one step short of being a technical use variance. Planner Mertz states that, as per this ordinance, it clearly states that it is only to be used to construct a single family home.

Atty. Leckstein states that if the application is approved, the Resolution of Approval will be filed with the Deed.

Chairman East asks if there is any public in attendance that wishes to ask a question or make a comment.

1. James Bastan, 296 Wyckoff is sworn in by Atty. Leckstein. Mr. Bastan asks for some clarification of the wording of the notice regarding bulk variances and use variance. Atty. Leckstein answers that there are no bulk variances. The application is for lot consolidation and approval to build a single family residence that falls within the parameters of the R-10 zone.

Motion is made by Vice-Chairman Gilmore and seconded by Mr. Mednick to approve the application as discussed.

Ayes: VC Gilmore, Mr. Mednick, Ch. East, Mr. Granata, Mr. Anderson

Nays: None

Absent: Mr. Liszanckie, Ms. Faust, Ms. Faccone

ZB 2022-08 S. Meeking & P. Corrente

18 Tess Court

Blk 1801 Lot 31

Side yard setback; front yard impervious coverage

Atty. Leckstein states that he has reviewed the notices and finds them deficient in that "pavilion" is not mentioned in the side yard set back variance request. Applicant will need to re-notice for the August 8, 2022 meeting. The notice should list the two variances requested as stated in the Denial of Application. Atty. Leckstein asks if anyone is in attendance for this application. There is no one in attendance for this application.

ZB 2022-06 Moustafa Soliman,

14 Bernad St., Blk 2102 lot 10

In ground pool side yard setback; existing front yard impervious coverage

Atty. Leckstein marks the following into evidence:

A-1 Denial

A-2 Survey

Mr. Soliman is the applicant in this matter and is sworn in by Atty. Leckstein.

Mr. Soliman explains that he has purchased the home with these pre-existing conditions and would like variances. He wishes to keep the pool, which needs work. The pool was put in, he believes in the late 1950's.

The existing front yard impervious coverage is 17% where 12% is permitted. Mr. Soliman has done nothing to the front yard since he purchased the property.

Chairman East asks if there is any public in attendance who wishes to make a comment or ask a question.

Ronald Cruse, 10 Bernad St., is sworn in by Atty. Leckstein. Mr. Cruse gives some history about when the pool was constructed as well as some interesting local stories about the property. Mr. Cruse has no issue with the variances requested.

The application is discussed among Board members.

Mr. Anderson makes a motion to approve, seconded by Mr. Granata.

Ayes: Mr. Anderson, Mr. Granata, Ch. East, VC Gilmore, Mr. Mednick, Mr. Anderson

Nays: None

Absent:

ZB 2022-07 Michael & Teresa Fedo

33 Brentwood Rd
Blk 3101 lot 15
Front porch setback

Atty. Leckstein marks the following into evidence:

A-1 Denial

A-2 Survey

Michael Fedo is sworn in by Atty. Leckstein.

Mr. Fedo states that he needs to fix his front porch and in so doing, he wishes to expand it. This would allow the front porch to be more useful. The front yard setback is required to be 50 ft. Existing is 51'1" and requested is 45'1"

Ch. East asks if there is any public in attendance that wishes to make a comment or ask a question. None heard.

The Board members discuss the application.

VC Gilmore makes a motion to approve the application as discussed, seconded by Mr. Mednick.

Ayes: VC Gilmore, Mr. Mednick, Ch. East, Mr. Granata, Mr. Anderson

Nays: None

Absent: Mr Lisanckie, Ms. Faust, Ms. Faccone

Miscellaneous

Engineer review the landscaping issues at the new self-storage property. Engineer Herrman states that he has been to the site multiple times. Most of the failed plantings have been replaced and he is satisfied with the plan regarding the trees that need some care.

Adjournment

Motion is made by to close the meeting at 7:55 p.m. by Mr. Chairman East. All in Favor.

Respectfully Submitted,

Colleen Matthews
Board Secretary