

REGULAR MEETING OF THE EATONTOWN ZONING BOARD OF ADJUSTMENT

September 12, 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: Chairman East, VC Gilmore, Mr. Granata, Mr. Liszanckie, Mr. Anbderson, Ms. Faccone
Absent: Mr. Mednick, Ms. Faust

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

Minutes

Motion is made by Vice-Chairman Gilmore and seconded by Mr. Liszanckie to memorialize the meeting minutes of August 8, 2022. All in Favor.

Ayes: VC Gilmore, Mr. Liszanckie, Mr. Granata, Ms. Faccone

Nays:None

Absent: Mr. Mednick, Ms. Faust

Not eligible: Ch. East, Mr. Anderson

Resolutions to be Memorialized

ZB 2022-08 S. Meeking & P. Corrente
18 Tess Court, Blk 1801 Lor 31
Side yard setback; front yard impervious coverage

ZB 2022-12 Brents, Jeffrey & Kathryn
29 Watson Place, Blk 1110 L 21
Applicant proposing to pave existing non-conforming driveway, variances as follows:

1. Impervious lot coverage existing is 50.74%, proposed is 50.74, permitted is 45%
2. Impervious front yard lot coverage existing is 34%, whereas 15% is permitted
3. Driveway side yard setback existing at closest 0', whereas 7' is required;
4. Garage side yard setback existing 3', whereas 7'; is required;
5. Garage rear yard setback existing 3', whereas 5' is required;
6. Front yard principal structure setback existing is 25', whereas 30' is required

Motion to memorialize both resolutions is made by Vice-Chairman Gilmore and seconded by Mr. Liszanckie.

Ayes: Vice-Chairman Gilmore, Mr. Liszanckie, Mr. Granata, Ms. Faccone

Nays: None

Not Eligible: Chairman East, Mr. Anderson, Ms Faust

Continuing Business

ZB 2022-09

Hanan, Steve & Nadine

9 Valley Forge Rd, Blk 4101 Lot 28

1. Bedroom in basement;
2. Existing driveway setback is 6 ft. whereas 7.5% is required
3. Proposed driveway side yard setback is 7ft whereas 7.5' is required
4. Proposed front walkway front yard setback 0', whereas 50 ft. required
5. Existing front yard impervious coverage 11.36%, proposed 53.40%, whereas 12% permitted
6. Existing impervious coverage 36%, proposed 56%, permitted 36%

Atty. Leckstein states that the revised building permit plot plan has been received and is marked as A-8. Also, the T&M review letter from the Board Engineer Mr. Herrman is marked as B-1.

Mr. Hanan is reminded that he is still under oath.

Board Engineer Herrman reviews the application and results of the site visit. The purpose of the 4' pvc pipe that runs across the front yard has been determined that it is a pipe that the roof drainage leaders are connected to and the pipe is close to the surface. Engineer Herrman states that this pipe will have to be taken out and suggests an alternative. Engineer Herrman reviews the coverage percentages with the Board members. Drainage and grading are discussed. The decorative walls on the both sides of the back yard are discussed and reviewed. Driveway and driveway openings are discussed. Utility easement is discussed

Chairman East asks if there are any public in attendance that has a question or wishes to make a comment. None heard.

Motion is made by Vice-Chairman Gilmore to approve the application as discussed with appropriate conditions and seconded by Mr. Liszanckie.

Ayes: Vice-Chairman Gilmore, Mr. Liszanckie, Mr. Granata, Ms. Faccone

Nays: None

Ineligible: Chairman East, Mr. Mednick, Mr. Anderson, Ms. Faust

New Business

ZB 2022-13 Jose SeSantana Neto
231 Wyckoff Road
Blk 2104 lot 20

-Applicant installed a new 16x16 shed without prior approvals, total accessory building coverage is 2.45% whereas 1% is permitted.

-Additionally, applicant had been previously approved for expanding a deck to 12'x20', deck has now been covered without prior approval, creating a side yard setback variance, existing is 2 ft. whereas 7 ft. is required and has exceeded the maximum front yard impervious coverage, existing is 52.76% where 12% is permitted.

Atty. Leckstein marks the following into evidence:

A-1 Zoning Denial

A-2 Application of the Land Use Board

A-3 Survey of the property

Atty. Leckstein reviews the application wherein a second shed (16'x16') was installed without approvals, also a deck was expanded in that a roof was constructed over the deck, driveway expansion was previously approved with a 7 ft. setback, as per ordinance, but was exceeded in that there is only a 2 ft. setback at this time. The front yard impervious coverage overage was missed the first time.

Atty. Leckstein swears in Mr. Neto. Chairman East asks the applicant to explain the relief that he is seeking.

Mr. Neto explains that he is constructing a 260 sq. ft second shed. There is a first shed on the property that he uses to shelter an old pick-up truck. The applicant also explains that the driveway paving exceeded the approval by mistake and was the fault of the paving company.

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

1. Patricia Cepeda, 33 Bernard, is sworn in by Atty. Leckstein. Ms. Cepeda states that she lives behind Mr. Neto's property to the side and can see the second shed. She states that it is very large and very high and objects to this structure.

The Board discusses the second shed and the placement of it. The Board is polled as to whether or not they are inclined to allow the variance for the second shed and if they are, the Board engineer will need to make a site visit. After a poll, it is determined that the majority of the Board is not inclined to allow the second shed with accompanying variances.

Motion is made by Vice-Chairman Gilmore, seconded by Mr. Granata, to deny the variance for the accessory building coverage and the variance for the side yard setback. The front yard impervious coverage was previously approved.

Ayes: Vice-Chairman Gilmore, Mr. Granata, Chairman East, Mr. Liszanckie, Mr. Anderson, Ms. Faccione

Nays: None

Not eligible: Mr. Mednick, Ms. Faust

ZB 2022-14 Travis Jacobowitz
21 Pearce Ave
Blk 1302 Lot 29

Applicant proposes to expand existing non-conforming driveway creating the following variances:

- Existing driveway side yard setback is 3' where 7' is required
- Existing garage side yard setback is 3' where 7' is required
- Existing front yard impervious coverage is 21.27% proposed is 34.77%, whereas maximum permitted is 13%

Atty. Leckstein marks the following into evidence:

A-2 Denial
A-2 Land Use Application
A-3 Survey

Atty. Leckstein swears in Mr. Jacobowitz.

Atty. Leckstein explains that the applicant is seeking to expand his non-conforming driveway.

The applicant explains that he and his girlfriend have three cars and only two fit in the driveway and parking on the street is not allowed. He further explains that the garage is older and small and none of his cars are small enough to fit into the garage. The applicant wishes to expand the driveway toward the front of the house in order to fit all three cars on the driveway. By expanding the driveway, the front yard impervious coverage increases.

Chairman East asks if there is anyone in the public who wishes to make a comment or ask a question. None heard.

The Board members discuss the application

Ms. Faccone makes a motion to approve the application as discussed and is seconded by Vice-Chairman Gilmore.

Ayes: Ms. Faccone, Vice-Chairman Gilmore, Chairman East, Mr. Granata, Mr. Liszanckie, Mr. Anderson

Nays: None

Not eligible: Mr. Mednick, Ms. Faust

Miscellaneous

None

Adjournment

Motion is made by to close the meeting at 7:50 p.m. by VC Gilmore. All in Favor.

Respectfully Submitted,

Colleen Matthews
Board Secretary