

REGULAR MEETING OF THE EATONTOWN ZONING BOARD OF ADJUSTMENT
October 24, 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, Vice-Chair Gilmore, Mr Liszanckie, Mr. Mednick, Ms. Faust, Ms. Faccone
Absent: Mr. Granata, Mr. Anderson

Also present: Marc Leckstein, Board Attorney and Colleen Matthews, Board Secretary;

Minutes

Motion is made by Mr. Liszanckie and seconded by Vice Chairman Gilmore to memorialize the meeting minutes of September 12, 2022. All in Favor.

Resolutions to be Memorialized

Motion is made by Vice-Chair Gilmore and seconded by Mr. Liszanckie to memorialize the following two resolutions:

- | | |
|------------|--|
| ZB 2022-14 | <u>Travis Jacobowitz</u>
21 Pearce Ave, Blk 1302 Lot 29 |
| ZB 2022-13 | Jose DeSantana Neto
231 Wyckoff Road, Blk 2104 lot 20 |

Ayes: Vice-Chair Gilmore, Mr. Liszanckie, Ch. East, Ms. Faccone

Nays: None

Abstentions: Mr. Granata, Mr. Mednick, Mr. Anderson, Ms. Faust

ZB 2022-09 Hanan, Steve & Nadine
9 Valley Forge Rd, Blk 4101 Lot 28

Motion is made by Ms. Faccone and seconded by Vice Chair. Gilmore to memorialize this resolution.

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

Nays: None

Abstentions: Ch East, Vice-Chair Gilmore, Mr. Granata, Mr. Mednick, Mr Anderson, Ms. Faust

5. Old Business

6. New Business

ZB 2022-17 Brian and Karen Pericone
37 Rutland Place, Blk 3402 lot 32

Applicant proposes to expand existing driveway by 408 sq. ft., exceeding the front yard impervious coverage maximum, variance required.

Existing front yard impervious coverage 10%, proposed 19%, permitted 12%

Atty. Leckstein marks the following into evidence:

A-1 Zoning Officer Denial

A-2 Application to Land Use Board

A-3 Survey

Brian Pericone is sworn in by Mr. Leckstein. Mr. Pericone states that he wishes to expand his driveway by 408 feet so that his family can park their vehicles (four) side by side in the driveway. A variance is requested for exceeding the front yard impervious coverage. The curb cut stays the same.

The Board members discuss the application.

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

Motion is made by Ms. Faust to approve the application as discussed and seconded by Vice-Chair Gilmore.

Ayes, Ms. Faust, Vice-Chair Gilmore, Ch. East, Mr. Liszanckie, Mr. Mednick, Ms. Faccone

Nays: None

Absent: Mr. Granata, Mr. Anderson

ZB 2022-16 Karen Taylor
109 Grant Avenue, Blk 1801 lot 50.01

Applicant is proposing a 787 sf two-story addition, to a non-conforming structure with the existing side-yard setback at 1.5 ft., (1.5 ft/27.5 ft/27.5ft for both) whereas 7 ft for one 20ft for both is required, creating a variance

Expansion of existing driveway front yard impervious coverage, existing 29%, proposed 30%, whereas the maximum is 15% creating a variance

Please note, to bring the impervious lot coverage into compliance the following improvements are proposed to be removed

8ft x 10 ft existing shed

5ft x 5ft shed

26ft x 12.5 ft 9ft x 10ft

Irregular shaped rear brick patio

The 10.7 ft x 12 ft deck at rear of dwelling received Board approval for the location at 1.5 ft. from side yard, being removed with the proposed addition replacing it.

Atty. Leckstein marks the following into evidence:

A-1 Zoning Officer Denial

A-2 Application to Land Use Board

A-3 Survey

Karen Taylor, 109 Grant Avenue is sworn in by Mr. Leckstein. Ms. Taylor states that by constructing a second story addition on a non-conforming structure, she needs a driveway front yard impervious coverage from a pre-existing condition. The applicant confirms that she is removing both sheds and irregularly shaped rear patio.

The Board members discuss the variance.

Chairman East asks if there are any public in attendance that wish to make a comment or ask a question, none heard.

Mr. Liszanckie makes a motion to approve the application as discussed and is seconded by Ms. Faust.

Ayes: Mr. Liszanckie, Ms. Faust, Ch. East, Vice Chair Gilmore, Mr. Mednick, Ms. Faccione

Nays: None

Absent: Mr. Granata, Mr. Anderson

ZB 2022-18

Carolyn Ging

57 Villa Place, Blk 1105 lot 35

Applicant proposes to construct a second story addition on an existing non-conforming structure, increasing the non-conformity.

Property is located in the R-10 zone, where the required minimum side yard setback for the dwelling is 7' for one, 20' for both, whereas the existing side yard setbacks are 5' for one 15' for both.

Existing driveway setback is 3' whereas 7' is required.

Existing front yard impervious coverage is 24%, whereas maximum 13%.

Atty. Leckstein marks the following into evidence:

A-1 Zoning Officer Denial
A-2 Application to Land Use Board
A-3 Survey

Ms. Ging is sworn in by Atty. Leckstein. Ms. Ging states that she wishes to construct a second story addition for more living space and add a front porch on a non-conforming structure and in so doing triggers variances for minimum side yard setback, existing driveway setback and existing front yard impervious coverage. The footprint of the home on the land remains the same.

The Board members discuss the application. Chairman East asks if there is any public in attendance that wishes to make a comment or ask a question, none heard.

Vice-Chair Gilmore makes a motion to approve the application as discussed and is seconded by Mr. Liszanckie.
Ayes: Vice-Chair Gilmore, Mr. Liszanckie, Ch. East, Mr. Mednick, Ms. Faust, Ms. Faccone
Nays: None
Absent: Mr. Granata, Mr. Anderson

ZB 2022-15 Wender Claudio DeFaria Silva
 168 South St., Blk 1502 Lot 13

The following improvements have been done without the proper approvals and require variances

Expanded driveway
Enclosed 12' x 18' rear porch
8' x 12' shed
16' X'30' wood deck with hot tub
13' x 26' concrete patio
Wood fencing

The following variances are required:

Expanded driveway, required side yard setback 7' existing at closest 3'
Front yard impervious coverage, maximum permitted 14%, existing 24.39%
Rear yard 8' x 12' shed required side yard setback 5 'where 3 'is existing

Atty. Leckstein marks the following into evidence:

A-1 Zoning Officer Denial
A-2 Application to Land Use Board
A-3 Survey

Samantha Olivera works for Mr. Silva and will translate from Portuguese to English for him during this hearing. Atty. Leckstein swears in Mr. Silva and Ms. Olivera states that he understands.

Atty. Leckstein reviews the two variances. Mr. Silva states that he will be moving the shed to meet the setback of 5', so this variance will not be needed. Mr. Silva explains through Ms. Olivera that the driveway was in its current state when he bought this property; he has not expanded the driveway.

The Board discusses this application.

Chairman East asks if there are any public in attendance that wish to ask a question or make a comment, none heard.

Motion is made by Vice-Chair Gilmore to approve this application as discussed and seconded by Mr. Liszanckie.

Ayes, Vice-Chair Gilmore, Mr. Liszanckie, Ch. East, Mr. Mednick, Ms. Faccone

Nays: None

Absent: Mr. Granata, Mr. Anderson

Miscellaneous

None

Adjournment

Motion is made by to close the meeting at 7:30 p.m. by Vice-Chair Gilmore and seconded by Mr. Liszanckie. All in Favor.

Respectfully Submitted,

Colleen Matthews
Board Secretary