

**REORGANIZATION AND REGULAR MEETING OF THE
EATONTOWN ZONING BOARD OF ADJUSTMENT**

January 6, 2025

Minutes

Prior to tonight's meeting, Marc Leckstein, Esq. administered the Oath of Office to Mr. Gilmore

Call to Order

Mr. 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: Mr. East, Mr. Gilmore, Mr. Mednick, Mr. Anderson, Ms. Faccone, Mr. Murphy, Mr. Wilson, Ms. Larsen, (alt. #1) Mr. Wilson (alt. #2)

Absent: Mr. Lizanckie

Also present: Marc Leckstein, Board Attorney; Colleen Matthews, Board Secretary; Greg Gitto, Board Engineer, M. McKinley Mertz, Board Planner

Executive Session

Motion is made by Mr. East and seconded by Ms. Faccone to go into executive session to discuss personnel at 7:04 p.m.

All in favor.

Motion is made by Mr. East and seconded by Mr. Anderson to return from executive session at 7:14 p.m. All in favor.

Reorganization

Motion is made by Mr. Mednick and seconded by Ms. Faccone to appoint Mr. East as Chairman.

Ayes: Mr. Mednick, Ms. Faccone, Mr. East, Mr. Gilmore, Mr. Anderson, Mr. Murphy, Ms. Larsen

Nays: None

Absent: Mr. Lizanckie

Motion is made by Chairman East, seconded by Ms. Faccone to appoint Mr. Anderson as Vice-Chairman.

Ayes: Chairman East, Ms. Faccone, Mr. Gilmore, Mr. Anderson, Mr. Mednick, Mr. Murphy, Ms. Larsen

Nays: None

Absent: Mr. Lizanckie

Motion is made by Chairman East and seconded by Ms. Faccone to appoint and memorialize via resolution Marc Leckstein, Esq., as Board attorney.

Ayes: Chairman East, Ms. Faccone, Mr. Gilmore, Vice-Chair Anderson, Mr. Mednick, Mr. Murphy, Ms. Larsen

Absent: Mr. Lizanckie

Motion is made by Chairman East and seconded by Mr. Mednick to appoint and memorialize via resolution T&M Engineering as Board engineer for a 68-day hold over until March 9, 2026.

Ayes: Chairman East, Mr. Mednick, Mr. Gilmore, Vice-Chair Anderson, Ms. Faccone, Mr. Murphy, Ms. Larsen

Nays: None

Absent: Mr. Lizanckie

Motion is made by Chairman East and seconded by Ms. Faccone to appoint and memorialize via resolution MJ Planning, M. McKinley Mertz, as Board Planner.

Ayes: Chairman East, Ms. Faccone, Mr. Gilmore, Vice-Chair Anderson, Mr. Mednick, Mr. Murphy, Ms. Larsen

Nays: None

Absent: Mr. Lizanckie

Motion is made by Chairman East and seconded by Ms. Faccone to appoint and memorialize via resolution Colleen Matthews as Board Secretary.

Ayes: Chairman East, Ms. Faccone, Mr. Gilmore, Vice-Chair Anderson, Mr. Mednick, Mr. Murphy, Ms. Larsen

Nays: None

Absent: Mr. Lizanckie

Minutes

Motion is made by Chairman East and seconded by Vice-Chair Anderson to memorialize the minutes of December 8, 2026.

Ayes: Chairman East, Vice-Chair Anderson, Mr. Mednick, Ms. Faccone, Mr. Murphy

Abstain: Mr. Gilmore, Ms. Larsen

Absent: Mr. Lizanckie

Resolutions to be Memorialized

ZB 19-2025

22 Turner Street

Katie and Michael Salnick

Blk 2103 Lot 7

Rear addition, rear paver patio, covered front porch, modified front walkway, second story addition, wood frame hobby shop

ZB 21-2025

96 Hilbert Parkway

Philip Dobitsch

Block 3306 Lot 6

Front yard impervious coverage is 19.4% where 14% is maximum

Motion is made by Ms. Faccone and seconded by Vice-Chair Anderson to memorialize these two resolutions.

Ayes: Ms. Faccone, Vice-Chair Anderson, Chairman East, Mr. Mednick, Mr. Murphy

Nays: None

Abstain: Mr. Gilmore, Ms. Larsen

Absent: Mr. Lizanckie

Motion is made by Ms. Faccone and seconded by Vice-Chair Anderson to memorialize the Asbury Park Press and the Star Ledger are the official newspapers of the Zoning Board and confirming the 2026 Meeting Dates by Resolution.

Ayes: Ms. Faccone, Vice-Chair Anderson, Chairman East, Mr. Mednick, Mr. Murphy

Nays: None

Abstain: Mr. Gilmore, Ms. Larsen

Absent: Mr. Lizanckie

New Business

ZB 15-2025 Tinton Villas, LLC

29-31 Tinton Avenue Blk 201 lot 13

Preliminary & Final Major Site Plan approval, conditional use permit, with “d(3)” conditional use variance relief and bulk “c” variance relief to permit construction of two two-story three-bedroom townhomes along with additional site improvements

Atty. Leckstein marks the following into evidence:

A-1 Minor Site Plan dated December 1, 2025

A-2 Architectural floor plans

A-3 Driveway alignment Plan dated December 30

B-1 Engineer’s review letter

B-2 Planner’s review letter

B-3 Shade Tree Review letter

B-4 Traffic Safety review letter

John Giunco, Esq., states he is representing the applicant in this matter who is currently looking to redevelop this site. The property currently has a two-family residence on the site and the applicant is looking to construct a new two-family townhouse building for the objective of renting it out.

Atty, Leckstein marks the following:

A-1 Minor Site Plan last revised December 1, 2025

A-2 Architectural Floor Plans and Elevations

A-3 Driveway Re-Alignment Plan dated December 30, 2025

B-1 Engineering Review Letter

B-2 Planning Review Letter

B-3 Shade Tree Review Letter

B-4 Traffic Safety Officer Review Letter

Atty. Leckstein swears in the Board professionals. M. McKinley Mertz states that she has read the Planning Review Letter from the prior Board Planner and has adopted same.

Atty. Giunco states that the County is requiring a 20 ft wide driveway and the plans have been amended to show this requirement.

Mike Cannon, civil engineer and surveyor, is sworn in by Atty. Leckstein and accepted as an expert by the Board. Mr. Cannon reviews what lies on the property now and what is proposed. There is a 15 ft. easement to the County along the front of Tinton Avenue along with a 10 ft. wide sewer easement in the rear to the Eatontown Sewerage Authority. The property is in a B-2 zone where residential dwellings are not permitted. Front and side yard setback variances are required. The sidewalk fronting Tinton Avenue will be realigned to avoid a utility pole. Front yard setback of 50 ' is required and 30.2 ' is proposed; side yard setback 15 ' minimum is required and 10.75' is proposed, a total of the two sides is 40 ' and we are proposing 38.5 ft. ; overall impervious coverage 45% is maximum permitted 66.5% is proposed.

With regard to the parking for the site, 5 parking spaces are required and we are proposing 7 parking spaces in the rear parking lot, two parking spaces in the garages, for a total of 9 parking spaces proposed.

The structure proposed is two stories 34.42' in height.

The driveway is discussed and confirmed that it is 20' wide and that there is no pedestrian walkway on the property, as confirmed by a title search.

The applicant agrees to donate to the Tree Fund, as described in the Shade Tree review letter. Board Engineer Mr. Gitto discusses his review letter and all points are agreed upon, including lighting (shielded and timed, sidewalks and stormwater management).

Chairman East asks if there is any public that wishes to ask a question or make a comment regarding the engineering expert. None heard.

John Taikina, Planner is sworn in by Atty. Leckstein and accepted as an expert by the Board. Mr. Taikina reviews the application along with accompanying variances. Mr. Taikina offers testimony that this use is not detrimental to the master plan or detrimental to the area surrounding the property.

Chairman East asks if there is any public in attendance that wish to make a comment or ask a question regarding this application.

None heard.

Mr. Gilmore makes a motion to approve this application as discussed, seconded by Vice-Chair Anderson.

Ayes: Mr. Gilmore, Vice-Chair Anderson, Chairman East, Mr. Mednick, Ms. Faccone, Mr. Murphy, Ms. Larsen
Nays: None
Absent: Mr. Lizanckie

ZB 11-2025 Diego Ferreira 40 Byrnes Lane Blk 1002 lot 11

2 story dwelling existing; proposed subdivision to create 2 residential lots

Proposed lot 11.02, lot width 59.8' where 75' required

Proposed lot 11.01, 25.7' front setback, 30' required

Proposed lot 11.02, 1.9' side setback for existing garage where 5' is required.

Atty. Leckstein marks the following exhibits:

A-1 Minor Subdivision Plan last revised December 20, 2025

A-2 Renderings of the property post project (4)

A-3 Renovation Plans of the existing home last revised October 15, 2025

A-4 New Home Plans

A-5 Alternate Home Plans

B-1 Denial

B-2 Engineering Review Letter

B-3 Planning Review Letter

B-4 Historic Committee Review Letter

B-5 Fire Prevention Review Letter

Atty. Leckstein swears in Ms. Mertz and Mr. Gitto, Board professionals. Ms. Mertz states that she has read the Planning Review Letter from the prior Board Planner and has adopted same.

Paul Edinger, Esq., states he is representing the applicant in this application. He reviews that this property is located in the B-1 Zone. It was previously in the R-10 zone until 2010. The existing home is also designated as historic. The historic home is currently divided into two-units. The applicant proposes to subdivide the property into two lots with a house on each lot. The applicant proposes to remove the existing structure at the back of the existing home.

Charles Surmonte, engineer and surveyor, is sworn in by Atty. Leckstein and accepted by the Board as an expert. Mr. Surmonte reviews the characteristics of this lot and that there is an existing two-family dwelling located at the front of the lot. The dwelling is proposed to remain, with modifications, to make it into a single-family dwelling. We are proposing to remove the second driveway to the south and the walkway that led to the south end of the building as well as the second parking area. At the back of the house, the wood deck would be removed and the applicant is proposing installing some smaller landings. About 10 ½ ft. of right away would be dedicated to the Borough to bring the right-of-way line in line with the right-of-way line on Byrnes Lane, as it extends further to the South. That is proposed lot 11.01.

The balance of the property, 20,835 sq ft., is just shy of ½ acre. The applicant is proposing a single-family dwelling to be served by a driveway coming through the frontage of the property. There is also a garage on this proposed lot that the applicant wishes to maintain. There are some constraints with the lot, including that there are water table limitations that preclude the construction of a basement, which is why the garage is proposed to be kept for storage. The home is being proposed as if it is in a R-10 zone which would require 3 variances. 1) the existing front yard setback to the existing house 2) the existing garage has a setback of 1.9 ft. 3) the lot width for proposed 11.02 is 57.1 ft. where 75 ft is required. The Board Planner states that the property is not in the R-10 zone and these variance requests cannot be granted for the BP-1 zone. There is no driveway proposed for the existing garage because it will be used for storage. There is no plumbing in this garage and is not proposed and will not be used as living space, which will be Deed restrictions, if approved.

A drainage system is being proposed for lot 11.02. A drywell is proposed in the rear yard to pick up the roof leader runoff, which will be connected to a municipal drainage structure at the southeast corner of the property.

The driveway that was originally proposed was 11 ft. wide and now is proposed to be 20 ft. wide. Mr. Surmonte states that this will allow a firetruck to proceed to the back of the property. The fire marshall's review letter is read out loud and discussed.

The board engineer's review letter is discussed. The applicant does not wish to construct a sidewalk but to contribute to the sidewalk fund. Board members, professionals and applicant's professionals discuss the benefits and detriments to constructing the sidewalk.

Mr. Edinger states that the exhibit labeled "new house plans" are now off the table and "alternate house plans" are what is being proposed for the additional new home (rear home).

Chairman East asks if there is any public in attendance that wish to ask a question pertaining to Mr. Surmonte's testimony.

All public making a statement or asking a question, were sworn in by Atty. Leckstein.

Roy Eisen, 43 Byrnes Lane, asks where the B-1 zone and the R-10 zone is located in this area. Has a question about the dry well and drainage system proposed. He reviews the drainage/flooding issues from the Learning Experience and questions if the proposed drainage plan is adequate.

Mr. Surmonte states that the drainage plan would have to be finalized. The finalized plan would then have to be submitted to the Board Engineer and approved by the Board Engineer.

Lisa Vazquez, 200 Broad Street, states that she has a drain that is located in her backyard and her multiple neighbor's backyards, which is not maintained by the Boro. She and her neighbor clean it twice per year. Ms. Vazquez states that her back yard is constantly flooded. She is very concerned about the south drain from this application proposal and it's impact.

Toni Bianchini, 9 Schuber Place. Ms. Bianchini states that she is one of the five houses that backs up to this property. This property has been a source of flooding for the past 25 years. The original owner filled in a swale and blocked the storm drain, which has created a water problem. She states that if another house is built, there will be even more water. She states that this area already has a severe water problem and another house would make the water problem even worse.

Brian Poniatowski, 6 Schuber Place, asks when the new plan for the rear home was proposed. Mr. Poniatowski believes he and everyone on the 200 ft. list should have been notified of the changes. Asks if the driveway needs a setback variance. Asks questions about drainage.

Hermann Bussem, 7 Schuber Place, states that there used to be stream at the back of his property that has been filled in. Mr. Bussem states that whenever there is a heavy rain, there is flooding.

Carol Kozusko, 3 Schuber Place, states that she regularly gets water in her basement, not only during bad storms. Reviews how bad the flooding is in her backyard, as well as in her neighbors' yards. Ms. Kozusko states that she does not understand how developing this land will help the water situation. There is discussion about the drains proposed.

Atty. Leckstein asks Board Engineer Gitto how is feels about the drainage proposal. Mr. Gitto says that he would like to review a more detailed and complete plan since there a water problem in this area.

A break is taken from 9:07 pm until 9:24 p.m. Atty. Leckstein notes for the record that board attendance has not changed.

Atty. Leckstein states that the applicant wishes to carry this application.

Atty. Leckstein states that the applicant is also asking for a Certificate of Appropriateness for the existing house that is in the historic district. This Certificate has nothing to do with the new house proposed or the subdivision. It is so the renovations on the existing home can be finished, using materials that are consistent with Historic Commission's recommendations. Atty. Leckstein states that this Board can grant the Certificate, if inclined.

Antonio Scalise, architect, is sworn in by Atty. Leckstein, and accepted by the Board. Mr. Scalise states that with regard to the Certificate of Appropriateness, the applicant would like to bring it back to a natural wood siding. Also, there will be a faux chimney added with real brick to mimic how the house originally looked. The applicant will be restoring elements that were original to the house.

Phyllis Trask, Chairperson of the Historic Commission, is sworn in by Atty. Leckstein. She states that there was another chimney originally on the house. She states that the shingles should be real wood.

Mr. Scalise states that he will work with the Historic Commission in order to restore the home to their satisfaction.

Chairman East asks if anyone in attendance has a question or comment for Mr. Scalise. None heard.

Ms. Faccone makes a motion to approve the Certificate of Appropriateness only, seconded by Mr. Gilmore.

Ayes, Ms. Faccone, Mr. Gilmore, Chairman East, Vice-Chair Anderson, Mr. Mednick, Mr. Murphy, Ms. Larsen
Nays: None

Absent: Mr. Lizanckie

Atty. Leckstein recommends to the public in attendance that if they wish to look at any submissions prior to the next hearing date, please call the Board Secretary in order to do so.

Motion is made by Chairman East to carry this matter to March 9, 2026 with no new notice required, seconded by Vice-Chairman Anderson. All in favor.

Adjournment

Motion is made by Chairman East, seconded by Vice-Chair Anderson to end the meeting at 10:00 p.m. All in Favor.

Respectfully Submitted,

Colleen Matthews
Board Secretary