

**REGULAR MEETING OF THE
EATONTOWN ZONING BOARD OF ADJUSTMENT
August 10, 2026
Minutes**

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, V.C. Anderson, Mr. Mednick, Ms. Faccone, Mr. Lizanckie, Mr. Wilson

Absent: Mr. Murphy, Ms. Larsen (1st. Alt.),

Also present: Marc Leckstein, Board Attorney; Greg Gitto, Board Engineer; John Barree, Board Planner; Colleen Matthews, Board Secretary;

Minutes

Motion is made by Vice Chair Anderson and seconded by Mr. Lizanckie to memorialize the minutes of July 13, 2026.

All in favor by those eligible to vote.

Resolutions to be Memorialized

None.

New Business

ZB 2026-07 Sharon Brown

100 Oak Lane

Blk 107 Lot 25

Proposing to construct a 10'x13'x12' sunroom to the rear of the townhouse requiring Rear yard setback and side yard setback variances

Atty. Leckstein marks the following:

A-1 Architectural Plans with packet

A-2 Copy of HOA approval dated January 8, 2026

B-1 Denial

Jason Hawrylak, Esq., states he is representing the applicant. This property is part of the Tinton Woods Homeowner's Association. This application is for a 10 x 12.6 ft sunroom to be located at the back of the townhouse. There are rear and side yard setbacks requested. The Tinton Woods Homeowner's Association has previously approved this request, subject to Borough approval. Precision Sunrooms has previously built a sunroom at 102 Oak Lane, and, if approved, would be building this sunroom as well.

Lawrence Cirangle, architect, is sworn in by Atty. Leckstein. With regard to the rear yard setback, the applicant is looking for a 13 ft. setback, where 22' is existing and 50 ft. is required. The height of the building is 10 ft. The applicant is in a corner unit and has green space to the rear. There is an existing 10 x 8 deck, which will be taken down for the sunroom. The proposed sunroom is the same width as the former deck but will be 5 feet longer. The sunroom will not project any further into the green space.

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

Mary Lovecky, 105 Oak Lane, lives a few doors down from the applicant. She states that there are drainage issues, flooding and ponding at the back of that property in the greenspace. French drains have just been installed. She is concerned that the sunroom is expanding into this green space by 5 additional feet where the deck was not.

Sharon Brown, 100 Oak Lane, property owner The homeowner states that the sunroom is not expanding past the existing footprint of the deck. It is 10 ft. not 13 feet.

Motion is made by Mr. Lizanckie and seconded by Mr. Mednick to approve the application as discussed.

Ayes: Mr. Lizanckie, Mr. Mednick, Ch. East, Vice-Chair Anderson, Ms. Faccone, Mr. Wilson, M Buczny

Nays: None

Absent: Mr. Murphy, Ms. Larsen

ZB 2026-04 1621 Pumo Real Estate, LLC

215 Broad Street

Blk 301 Lot 51

Amended Site Plan - seeks approval to utilize the east wing of the building for either the previously approved office, or for newly proposed public or private school or educational services. No site improvements are proposed.

Atty. Leckstein marks the following:

A-1 Preliminary and Final Site Plan

A-2 As-Built Survey

A-3 Resolution of Approval adopted February 13, 2023

B-1 T&M Engineering Review Letter July 30, 2026

B-2 M&J Planning Review Letter August 3, 2026

Andrew Ball, Esq., Kingman law firm, represents the applicant in this application. Frank Preston is the Managing Partner of this LLC and the President of ACI Medical and Dental School, which is housed currently

at the site in the west wing. There are no changes being proposed to the site itself. We are looking to amend the prior approval to the extent that it did not specifically recognize the underlying educational use, public and private school use in the east wing. At that time, the application only sought to approve the educational use in the west wing, which is operated by ACI, and it proposed a D-1 variance for the office use in the east wing. Now, for the sake of marketing the east wing to any potential tenant, whether it is an office use, as previously approved, to a compliant public/private school use that is permitted in the zone, seeking that amendment to the prior approval.

It is reviewed that this 1908 building has always been a school. The only change to the site could possibly be parking changes that would be required. Currently the site has 91 parking spaces. The west wing (ACI) uses 41 spaces, being the required amount, which leaves 50 spaces available to use for the east wing. The east wing is smaller than the west wing. The 50 spaces would be enough for a secondary school use.

Frank Preston is sworn in by Atty. Leckstein. Mr. Preston reiterates what Atty. Ball has said, confirming what is asked for in the application and that there is enough parking for either a school use or an office use in the east wing for whomever the tenant may be in the future. He states that he does not have a tenant for the east wing but would like to have the option of having a school use or an office use, not both uses at the same time. He states that he did not realize that the educational use was taken away with the last board application.

There is further discussion regarding parking. The Board asks about busing, if there is a prospective tenant that would like busing, it is agreed upon that the applicant, Mr. Preston, will come back before this Board if any type of busing is proposed, along with pedestrian access, with the educational use.

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

Atty. Leckstein swears in each of the following residents:

1. Rosalie Sneath, 30 College Avenue, Ms. Sneath states that she would be very upset if there were to be busing at this location. Ms. Sneath states that there is only enough parking at this location for the ACI school. She states that Nicodemus Ave will be opening shortly and that will result in more traffic.

Atty. Leckstein states that schools are a permitted use in this zone. Atty. Leckstein states that the office use could be abandoned on the east side and the entire building could be a school, as it is an approved use in this zone.

2. Danielle Seals, 12 College Avenue, states that her living room window looks directly out to the west side parking lot. The parking lot is constantly at 50% - 70% capacity. There are night classes on Tuesday and Thursday nights. The students drive very fast down College Avenue to get to the parking lot. The stop sign is also not observed by the students at the entrance/exit of the parking lot.

Mr. Preston replies that he is not asking for a parking variance, he has adequate parking spaces according to what is required. He also states that he has sent out notifications to the student body to observe the Stop sign and to be respectful of the residential neighbors.

3. Danielle Seals, 12 College Avenue, states that night hours are not traditional school hours. Classes do not let out until 9:30 or 10:00 p.m on Tuesdays and Thursdays and the headlights go right through her front windows.

It is reviewed that the night hours are not part of this application, they have been previously approved. It is also reviewed that speeding is a police matter.

A motion is made by Mr. Lizanckie and seconded by Ms. Faccone to approve this application as discussed, allowing the applicant to have the permitted use of the school while allowing office use to be retained in the space, but not at the same time, only in the east wing.

Ayes: Mr. Lizanckie, Ms. Faccone, Ch. East, Vice-Chair Anderson, Mr. Mednick, Mr. Wilson, Ms. Buczny
Nays: None

Absent: Ms. Larsen, Mr. Murphy

Atty. Leckstein states that there was a short break taken from 8:43-8:47 p.m and Board attendance has not changed.

ZB 2026-10 Nicholas & John Grigos

255 Grant Avenue

Blk 2101 Lot 3

Proposing to install a new 22' x 32' garage requiring side yard setback, building coverage variances and variance for no driveway to structure

Atty. Leckstein marks the following:

A-1 Survey

A-2 Image of proposed garage

A-3 Two photos of the yard

A-4 picture of garage

B-1 Denial

John Grigos states that his son lives in the house and he has a boat. They wish to construct a garage/accessory building for the storage of the boat only, as he feels it is much more appealing to have it housed in a garage rather than out in the open. Their lawnmower and bicycles will also be housed in the accessory structure. The boat on a trailer will be housed in the garage during the off-season. There will be no vehicles ever housed in the structure and they will agree to a deed restriction regarding this. It means that anyone buying this house in the future cannot use this structure as a garage to house a vehicle. The applicant will need to have the proper Deed with the restriction filed with the County before any permits will be issued. He states that the boat with the trailer can be moved into the garage/accessory structure via an electric boat dolly for winter storage. The boat is not heavy and will fit along side of the property to access the garage/accessory structure. It will be a straight line from the driveway, through the fence gate, to the accessory structure as it will be on the same side of the yard. There will be no plumbing in the structure. The applicant is requesting interior electric only, no outside electric for outside lights. The applicant states that the size of the accessory building will be 22 ft x 32 ft x 10 ft high. The applicant also agrees that there will not be any boat(s) stored outside of the garage. There will be a concrete slab poured for this accessory building to be anchored into. The Board engineer states that there is a coverage variance needed for the accessory structure where 2% is allowed and this structure would be 3.5%

Chairman East asks if there is anyone in the public that has a question or comment.

Carlos Gratacos, 34 Bernard St., asked a question to confirm that the height proposed is 10 ft. He states that he has no issue with the application.

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

Ayes: Mr. Mednick, Vice Chair Anderson, Chairman East, Ms. Faccone, Mr. Lizanckie, Mr. Wilson, Ms. Buczny

Nays: None

Absent: Mr. Murphy, Ms. Larsen

6. Continued Business

ZB 2026-03 Zaki Mustacchi (con't from July 13, 2026)

450 Wall Street

Blk 4001 Lot 15

Demolish the existing single-family home and replace with a new 3 story home, swimming pool with multiple variances

Andrew Ball, Esq., states that he is representing the applicant in this matter.

Atty. Leckstein marks in the following:

A-5 Updated variance plan dated August 10, 2026

A-6 New Architectural rendering how the front of the house would look dated August 10, 2026

Atty. Leckstein marks in the following exhibits:

B-5 Third Engineering Review letter

B-6 Planning Review letter dated August 3, 2026

Small break taken so that the new architectural rendering could be uploaded to the Board's file. Atty Leckstein states that the Board attendance has not changed.

Atty. Ball reviews that, since the last hearing, the applicant has reduced the size of the pool, has reduced the setback variances by reducing the patio size, eliminating the proposed walkway from the balcony to the backyard and agreed to install the sidewalk on the property's frontage.

Joseph Kociuba, Engineer and Planner has been previously sworn in during the first hearing, A-5 was prepared by his office dated today, which is the updated variance plan taking into account the Board's suggestions at the last meeting. The size of the home remains the same. The changes are to the setbacks and the layout. The home and deck has been shifted to the east which allows the rear yard setbacks to increase. He states that by shifting the home to the east, the footprint of the proposed home is mimicking the existing footprint of the current home with the garage. Mr. Kociuba reviews that this is an undersized lot. The inground pool has been reduced to 15' x 30'. The pool patio on the northern side has been reduced from 6.25 ft to 4 ft and the pool patio on the west side has been reduced from 9 ft. to 5 ft. The walkway in the front was reduced from 96 sq. ft. to 71 sq. ft. As a result, the new impervious coverage total is 41.28% where 45% is permitted. The front yard impervious coverage was reduced from 37.2% to 32.2% Mr. Kociuba reviews further adjustments that the applicants have made in order to try and comply with the Board's recommendations. Mr. Kociuba reviews that this lot has multiple hardships and he believes the application, as it has been revised, has enough positive criteria to allow the application to be approved. He believes there is no substantial detriment to the public good should this application be granted.

The Board asks why the house is now for sale. The applicant states that he did not believe the application was going well during the first meeting and wanted to have options. Ideally, he would like to stay at this address with the new home. Atty. Leckstein advises the Board that whatever the applicant's ultimate intentions are for the property,

whether they are going to live there or not, is not something the Board should consider when granting or denying an application. The application should be decided on general zoning principles and what the applicant plans to do with the house is irrelevant.

The Board Planner states that several of the variances have been eliminated with the shift of the house and pool area to the east. The one new variance that has been created is the side yard setback for the pool patio. Generally, it is a big house on a small lot. The coverage percentages are being met except for the impervious coverage in the front yard but that is driven by the hardship of the depth of the lot. The Board has to decide if the mass of the structure increasing from what is there today really exacerbates that setback or does the Board feel comfortable maintaining the existing setback with a bit more house there.

The applicant's engineer states that the points addressed by the Board's engineer in their review letters will be addressed and be met and the suggestions are agreed upon. He is satisfied with drainage mitigation in that they have gone above and beyond what the ordinance required.

Chairman East feels that the applicant has made enough changes to their proposal that he is making a motion to approve the application as discussed, seconded by Mr. Lizanckie.

Ayes: Chairman East, Mr. Lizanckie, Vice-Chair Anderson, Mr. Mednick, Mr. Wilson

Nays: Ms. Faccone, Ms. Buczny

Absent: Mr. Murphy, Ms. Larsen

Correspondence

n/a

Adjournment

Motion is made by Mr. Wilson and seconded by Mr. Lizankie to close this meeting at 9:20 p.m. All in Favor.

Respectfully Submitted,

Colleen Matthews

Board Secretary