

REGULAR MEETING OF THE EATONTOWN ZONING BOARD OF ADJUSTMENT

August 12, 2024

Call to Order

Chairman East called this in-person meeting to order at 7:03 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, Mr. Liszanckie, Mr. Anderson, Mr. Mednick, Ms. Faccone

Absent: Vice-Chair Granata, Mr. Gilmore

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

Minutes

None.

Resolutions to be Memorialized

None

New Business

ZB 2024-07 Willow Wellness Center **40 Broad Street, Blk 1001 Lot 8** **Conditional Use Variance**

Mark Steinberg, Esq., states that he is the attorney of record for the applicant. Atty. Leckstein states that there are five Board members in attendance this evening and you have the option of postponing this hearing until there are one or two more Board members in attendance. Atty. Steinberg states that he would like to be heard on October 21, 2024, which is the next available date that his team is available.

Motion is made by Ms. Faccone and seconded by Mr. Anderson to postpone this application to the October 21, 2024 hearing date. All in Favor.

Atty. Leckstein makes the announcement that this application will not be heard tonight and the application will be carried to the October 21, 2024 meeting without any further notice required. If there is anyone that wishes to be heard regarding this application, please be here on October 21, 2024 at 7:00 p.m.

ZB 2024-08 Meadowbrook Realty, LLC. (Valvoline)

29 Highway 35

Blk 1001 Lot 20

Use variance, Amended Site Plan

Atty. Leckstein marks the following into evidence:

- A-1 Application
- A-2 Survey
- A-3 Amended Preliminary and Final Site Plan
- A-4 21 page narrative of this property's history
- A-5 3 page photo exhibit of the property
- A-6 colorized rendering of the survey
- A-7 aerial of the site
- A-8 2 photos of white pvc fence

- B-1 T&M review letter
- B-2 H&G review letter
- B-3 Shade Tree Commission review letter
- B-4 Environmental Commission review letter

Atty. Leckstein reviews that this application is very similar to an application that was approved by this Board in 2022. The prior owners did not act on their approval within the time allowed and the new owners are here to ask for a drive-thru at this location.

John Anderson, Esq., states that he is the attorney for the applicant. Atty. Anderson reviews that this is primarily the same application as what was approved in 2022. The major difference is that there are not two outdoor kiosks proposed, which had been previously approved. This property was recently sold and is currently operating as Valvoline since April 2024. Atty. Anderson reviews that by having a one -way drive-thru aspect to this business it allows for a 10-15 minute oil change and allows patrons to stay in their car. It makes for a more efficient process.

Atty. Anderson reviews the process. After pulling into the property, there will be two lanes. There will be a "no idling" sign in the queue line. The patron will be directed to a bay. There is an employee with a computer in the bay that will look up information via vin number and license plate number, will advise of last service, what service is recommended. Patron decides what service is agreed upon via the computer screen, pays, proceeds into the bay for service and then exits the bay driving forward.

The attendants' kiosks, previously approved, are not asked for within this application.

Michael J. Ferri, owner/operator, is sworn in by Atty. Leckstein. Mr. Ferri states that he owns and operates 35 Valvoline sites in New Jersey and 180 total in New Jersey and New York. All of the other sites operate with a drive-thru. He states that a drive thru is a safer environment for the employees because the cars will not be in reverse but only driving forward. The consumer also appreciates being able to stay inside the vehicle while being serviced. Hours of operation are 8:00 a.m. – 6:00 p.m. Mon- Fr; 8:00 a.m. – 5 p.m. Sat ; 9:00 a.m. – 3:00 p.m. Mr. Ferri reviews the services that are available at the site. There are between 8-10 employees during the week and 6-8 during the weekend. There has been a bike rack installed, as some of the employees ride their bikes to work. There has been a 6 ft. vinyl fence installed at the rear of the site. Refuse is removed once per

week. The site receives one bulk oil delivery per week and UPS deliveries on an “as needed” basis. Waste oil is picked up one to two times per week. Safety features regarding the pit are discussed.

Atty. Leckstein notes that there is no one from the public in attendance, therefore the Chairman will not ask the public if there any questions or comments,

James Kennedy, Engineer, is sworn in by Atty. Leckstein. Mr. Kennedy reviews that the parking lot will be re-stripped to allow for two queueing lanes into the facility. There are operators assisting and guiding the patrons. There is no need for the two outside kiosks as the applicant has invested in technology, whereby making the kiosks obsolete. The one-way circulation pattern is discussed along with deliveries. Mr. Kennedy suggests that the proposed plantings along the fencing be redirected to the northern property line to fill in between this site and Popeye’s on the property, as there is not enough room for the plantings and the snow will be pushed to this location.

The Shade Tree letter is discussed, wherein they have asked for two small trees for the front of the building. After discussion, it is determined that there doesn’t seem to be an appropriate place to plant two additional small trees that will enable them to thrive at the front of the property. There are a few mature trees already existing at the front of the property. There will be landscaping added between the Popeye’s parking lot and the Valvoline parking lot

Andrew Janiw, Planner, is sworn in by Atty. Leckstein. Mr. Janiw reviews the positive criteria for granting a use variance whereby providing a safer environment for patrons and employees. Mr. Janiw reviews the variance requested for the size of the parking spaces. The variance previously approved for the sign at the front of the property is discussed. The queueing lanes are discussed and that the DOT allows for a left or right turn in accessing Route 35. There is a “no idling” sign requested. The existing monument sign is in a slightly different location and has had a previous variance granted and the applicant is requesting for the same variance. Site lighting is on a timer and is due to go off at midnight.

After discussion, Mr. Liszanckie makes a motion to grant the application as discussed, seconded by Mr. Anderson.

Ayes: Mr. Liszanckie, Mr. Anderson, Ch. East, Mr. Mednick, Ms. Faccione

Nays: None

Absent: Vice-Chair Granata, Mr. Gilmore

Correspondence

None

Adjournment

Motion is made by Mr. Liszanckie to close the meeting at 8:10 p.m. and seconded by Chairman East. All in Favor.

Respectfully Submitted,

Colleen Matthews
Board Secretary