

MINUTES OF THE REGULAR MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY, FEBRUARY 28, 2018 IN THE MUNICIPAL BUILDING, 650 POOLE AVENUE, UNION BEACH

The regular meeting was called to order by the Chairman Charles Steiner who announced that the meeting had been duly advertised in the Asbury Park Press and the Independent in accordance with the New Jersey Open Public Meetings Act, more commonly known as the Sunshine Law.

Roll Call shows the following members were present: Mr. Charles Steiner, Mr. Frank Wells, Ms. Bruna Devino, Captain Farese, Councilman Andreuzzi, Councilman Anthony Cavallo, and Mr. John Moniz. Also present: Mr. Ric DeNoia, the Board attorney, Mrs. Madeline Russo the Board secretary Mrs. Schultz, Mr. Kenneth Connors Mr. Lloyd Coffey, and Mr. Hoadley were unable to attend, Mayor was represented by Councilman Cavallo

Larry Kantor of Kantor and Linderoth, Keyport represented Elizabeth and David Meekins, 564 Sairs Av, Long Branch for the property located at 30 Scholer Drive also known as lot 12 of block 132. The secretary announced that the Board has gained jurisdiction. The applicant is proposing a new single family dwelling. The property is a pre-existing 66 x 100 lot where 75 x 100 is required. The Front yard setback 18' where 20' is required rear setback is 46'. The side yards 13' and 10' for a total of 23'.

Susan Sheffmaker, Architect, 262 Redmond St., New Brunswick was accepted as an expert witness, was sworn in and gave testimony. This residence was demolished as a result of Superstorm Sandy. The house is being constructed as a handicap accessible dwelling. In order to meet the handicap accessible improvements, the house is 318 sq. ft. larger than the original house.

The following items were marked into evidence:

A-1 Titled First Floor Plan Sheet A-2 ground floor prepared by Susan Sheffmaker, August 7, 2017

A-2 Titled second floor Plan Sheet A-3 prepared by Susan Sheffmaker August 7, 2017

James W. Higgins, 823 W. Park, Ocean a Licensed planner was accepted as an expert witness, was sworn in and gave testimony. Mr. Higgins stated that the applicant is proposing to demolish the existing dwelling and construct a single family residence on an undersized lot. Mr. Higgins noted all positive criteria including the fact that the undersized lot is consistent with the lots in the neighborhood. The Home will now be ADA compliant. There were no questions from the Board or public. The lot exists as a 6,600 sq ft lot where 7,500 is required.

There were no questions from the Board or the public. No one in the audience either for or against. Mr. Wells moved to approve the application and Councilman Andreuzzi seconded the motion. It was pointed out by both members that this property is part of a development that was allowed to build on undersized lots at the time of that particular subdivision and that help to create this hardship.

Remarks by the Board: Mr. Wells is in favor of this application due to the Pre-existing dwelling being built on a 66' lot. Mr. Steiner is in favor due to the property

being utilized again. Councilman Cavallo voted yes because they will be eliminating a non-compliance and the burden was met. Councilman Andreuzzi is in favor due to the pre-existing dwelling with the hardship of no other available property.

Voting yes: Steiner, Wells, Devino, Farese, Andreuzzi, Cavallo and Moniz.

Anthony Condouris, 104 Silverton Av, Little Silver for the property located at 1314 Union Avenue also known as lot 1 of block 177. Mr. Condouris is the owner of the property and a License Architect. He testified that he is proposing a new two story residence to be constructed on the existing foundation with the exception of the Cantilevering 2ft. on the side of the house (Aumack Av side). The property is located on the corner of Aumack and Union Aves. There are existing non-conformities; frontage 50' where 100' on both streets is required; min lot 5,424 sq ft where 10,000 sq ft ; min front yard setbacks of 18.9 and 10.8 where 20' is required on both streets. There are two existing driveways the one on Union Ave. will be abandoned. Also there is an existing accessory building that has a 1.4ft side yard setback where 5 ft is required.

The following members of the public spoke in favor of the application: Pat Kelly, 707 Aumack Av. stated that she is in favor of the application because she hates to look at what is here now. Bob Burlew, Jersey Ave. inquired if the applicant is going to live at the location. He is not. Terry Etson, 704 Clark Av is in favor because she has seen accidents on that corner and this will be a safety improvement. Also it will be an improvement to the neighborhood. Joe Savi, 117 Henry Street is in favor of the applicant.

Remarks by the Board: Mr. Steiner stated that this will improve Union Ave. and with new Master Plan this is just what the town is looking for. Ms Devino is in favor because she gets annoyed just driving past that house; Mr. Wells stated this is a good improvement. As a tax ratable it will be worth more due to the improvements made to the property. Captain Farese is in favor because he is positive it will be an improvement over what is there now. Councilman Andreuzzi is infavor because it is going to be an improvement and with all the work we have put into the redevelopment and Master Plan it will be a positive improvement to the neighborhood. Our goal is to remake Union Avenue and by moving the driveway to Aumack Av this will help. Councilman Cavallo stated that it is definitely an improvement to the area and stopping cars from backing out onto Union Ave is a positive improvement. Mr Moniz is in favor stating that this is a definite improvement and the driveway will improve safety.

Motion to: ???

Moved by:???

Seconded by:

Vote:

(Attorney) representing BT Development, LLC., 13 Pemberton Dr, Matawan for the property located at 413 Prospect Av, also known as lot 8 of Block 152. The applicant is proposing a new single family home at the location. The property is an existing 40 x 100 ft lot where 75 x 100 is required with two side yard setbacks of 6.5 each where a total of 20' is required. The secretary advised that proof of service is in order and the Board gains jurisdiction. Mr. Richard Heuser , Professional Engineer, Planner and Land Surveyor was accepted as an experts witness and was sworn in. Mr. Heuser began his testimony and introduced the following into evidence:

A-1 Plot Plan and grading Plan and Survey dated 10/31/2017 by Richard Heuser

A-2 three photos of 413 Prospect Avenue

A-3 Reduction of front elevation of Block 152 lot 8

A-4 Large photos

A-5 Picture of Adjacent property

A-6 Easterly direction view

Mr. Heuser stated that the property is in the R-75 residential zone and there is no dwelling on the property at this time. There is a 40' frontage and of depth of 196'. He stated that they cannot purchase additional property and the projected dwelling is consistent to the neighborhood. This will be a more effective use of the land.

Councilman Andreuzzi inquired if anyone had tried to purchase the property adjacent to this lot. No one gave an answer.

Anthony Condouris, Licensed Architect, 104 Silverton Av, Little Silver was sworn in and gave testimony. He introduced into evidence;

A-7 A multi page Floor Plan dated 6/29/2017 (2) sheets

The house is 27' wide and 41' long on both levels there are decks on the back 10x15 the Height from the BFE is 32' and it has a two car garage and the design is similar to those in the neighborhood. There were no questions from the audience.

There was a discussion about the properties adjacent to this property as to whether Or not that property is available – no answer from the applicant.

Mr. Savi, 117 Henry St inquired if it wouldn't be better to have two dwellings on three lots instead of on home on the 40' lot.

Councilman Andreuzzi wants the applicant to make an attempt to purchase the adjacent property to eliminate the undersized lot.

Mr. Wells inquired about the houses being so close together.

The Architect, Mr. Condouris was re-introduced and advised that the siding on the proposed dwelling is chosen as per the building code rating for a 6.5' distance between dwellings. The applicant requested that this be adjourned until our next meeting on March 28th. Councilman Andreuzzi moved to continue this application until next month and Mr. Wells seconded the motion. Voting yes: Steiner, Wells, Devino, Farese, Andreuzzi, Cavallo and Moniz.

Resolution 2018-001 introduced for Joe Savi, 117 Henry Street approving a use variance to open a motorcycle repair shop on the property located in an R-8 zone on the corner of Florence and Bay Avenues known as 1309 Florence Avenue, also known as lot 3 of Block 73. Mr. Moniz moved to approve the resolution and Captain Farese seconded the motion. Voting yes: Steiner, Farese and Moniz. Abstaining: Wells, Devino, Andreuzzi and Cavallo

The resolution approving Stephen Walicky, 1500 Concord Way, Toms River for a variance for the property located at 215 Lorillard Avenue also known as lot 7 of Block 78 was introduced to the Board. The variance is for a side yard set back of 7' where 8' is required and a total side yard setback of 19' where 20' is required and an undersized lot of 5,000 sq ft where 7,500 sq ft is required and any other pre-existing variances.

Robert A. Burlew had given testimony as a fact witness to explain the application. Flood elevation certificate prepared by Bruce Heiser and dated 11/15/2017 with eight pages of photos which was presented as evidence marked A-1. The new building foundation was found to be one foot over when the As-built was given to the Construction Dept. This was unintentional and It would cause substantial hardship to move over one foot after permits had been issued. Mr. Wells moved to approve and Councilman Cavallo seconded the motion. Voting yes: Steiner, Wells, Devino, Farese, Andreuzzi, Cavallo and Moniz.

Mr. Coffey moved to approve the minutes of the previous meeting and MS. Devino seconded the motion. The motion was approved by a voice vote of approval with Mr. Wells abstaining.

There being no further business before the Board, Mr. Wells moved to close the meeting at 8:30. Mr. Coffey seconded the motion. The motion was approved by a unanimous voice vote of approval.

Respectfully submitted,

Madeline Russo