

SERVICE MINUTES OF THE REGULAR MEETING OF THE UNION BEACH PLANNING BOARD HELD ON
WEDNESDAY, NOVEMBER 28, 2018 IN THE MUNICIPAL BUILDING, 650 POOLE AVENUE, UNION BEACH
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The regular meeting was called to order by Chairman 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. Wells, Mr. John Moniz , Ms. Bruna Devino, Mr. Kenneth Connors, Councilman Andreuzzi, Councilman Anthony Cavallo, Mr. Hoadley and Mrs. Laurette Wade. Patrick McNamara, Board attorney, Ms. Bonnie Heard, Board engineer and Mrs. Madeline Russo the Board secretary. Mayor was represented by Councilman Cavallo. Mr. Lloyd Coffey, and Captain Gabriel Farese, were unable to attend.

Lawrence Kantor representing Florence Development, LLC appearing before the Board for a Use variance, Minor Subdivision with bulk variances and Preliminary and Final Plat Plan review for the property located on the corners of Florence Av, Dock St and Fifth St. The property has an existing building which has a multi-use which has been abandoned. The first floor was previously used as a catering business and the second floor has an apartment. The developer is requesting that the building to be put back into use as it was and also would like to construct a single family residence on the Dock and Fifth St side of the lot. The following bulk variances would be required for the subdivision: Proposed lot 1A Minimum Lot 9,124sq ft where 10,00 is required; minimum width of 88' on Dock St where 100' is required; Minimum frontage of 21 ' on Fifth St where 100 ft is required; minimum Lot depth of 31' on Dock and 44 ft on Florence where 100' is required minimum front setback of 11' on Dock and 9.27' on Florence where 20' is required; Minimum side yard setback of 16 ft where 20ft is required. Proposed lot B Minimum lot area of 7,000 where 10,000 is required; minimum lot width of 85' on Dock St where 100ft. is required and 85 ft frontage on Dock where 100ft is required; minimum lot depth 69 ft on Dock St where 100 ft is required. Also see engineers letter (Section 13-3.6.d.2.b.) no change or extension of use and no alterations shall be made without an occupancy permit (Construction Official) etc. or action by the Planning Board .

Councilman Andreuzzi and Councilman Cavallo left the Council Chambers for the application. Scott Nichol, Licensed Architect and one of the partners was sworn in and accepted as an expert witness.

He stated that there will be no heavy traffic, no loading or unloading of trucks therefore no need for a loading dock. There will be one residential unit on the second floor and the first floor will be for office use only. The office will be

open during regular business hours with an average of two to four vehicles in the lot. The sign will not be illuminated and the irrigation of the property will be done manually. No dumpsters, they will use garbage cans only.

Ms. Heard suggested that the property made need to be flood proofed. The Construction Dept will determine that.

Jim W. Higgins, president of JW Higgins, Assoc., Ocean, NJ was sworn in and was accepted as a professional planner expert witness. He stated that the site has history. It has street frontage on all sides and is located in the residential zone. Prior use as a café with residence above café. Mr. Higgins believes the use is still valid.

The existing building is being utilized as a commercial use. First floor is suitable for an office and the second floor for residential use. If the subdivision is approved, the applicant will purchase the right of way on Dock St.

The chairman inquired if there was anyone for or against the application. No one in the audience responded. Mr. Wells moved to approve the application and Mrs. Devino seconded the motion. Voting yes: Steiner, Wells, Moniz, Devino, Connors and Hoadley. Voting no: Wade

Lawrence Kantor, Keyport appeared before the Board representing the applicant, Dominick Mastrocola, 60 Creek Rd., LLC for the property located on the corner of Spruce and Lorillard Aves. (401 Spruce and 354 Lorillard Ave also known as Block 149 lot 16). Proof of service was in order and the Board gained jurisdiction. Mr. Mastrocola was sworn in and gave testimony . He described the application for the subdivision of the property into two undersized lots. The property is a 75 x 100 lot on the corner with two residences on the lot. Corner lots require 100 x 100 for a single dwelling and 75 x 100' for interior lots. The applicant proposes a 50'x100' on Spruce St and a 25'x100' on Lorillard Av.

Mr. John Smith, 352 Lorillard in against the application . He is next to the Lorillard property and the new house will block out his light. Mr. Smith produced several pictures which he wanted to show the Board. They were shown to the applicant and there were no objections to them being placed into evidence.

Two photos were placed into evidence. Marked P-1(photo from the street) taken by the witness and P-2 (photo showing both houses).

Mr. James W. Higgins, Licensed Professional Planner was sworn in and he stated that this is a unique situation because the town was so impacted by Superstorm Sandy and the houses will be elevated to the base flood elevation. The subdivision will provide two non conforming lots with a new house – viable and owner occupied and consistent to the surrounding properties and there would be no adverse impact. The following photos were introduced into evidence:

P-3 existing residence on lot 15

P-4 existing residence on proposed lot 16.2

Discussion of letters from Mr. Dayback to Mr Mastrocola and hand written letter from Mr. Mastrocola.

Mr. Joseph McGrath, Union Beach Code Enforcer spoke before the Board and advised that there are records on this property in the Building department that he believes will be helpful with this application. The application will be continued at the Monday, December 17th meeting.

Harry Hoff, 342 Front St to construct a new single family dwelling on the Property located at 401 Union Ave., lot 1 of Block 203 requesting the following variances: Minimum lot area of 3,600 where 10,000 is required; minimum lot width of 40' on Union Ave and 90.20' on Bayview Av where 100' is required on both streets; minimum lot frontage of 40' and 90.2 ' where 100 is required on both Sts. Min lot depth of 90.20 ft on Union and 40'on Bayview Ave where 100' is required (all pre-existing) min front setback of 6 ft on Bayview Av where 20' is required and Section 13-5.5c – Unroofed entrance porches, terraces, ADA ramps, stairs and landings which do not rise above the height of the floor level of the ground Harry Hoff, 342 Front St to construct a new single family dwelling on the Property located at 401 Union Ave., lot 1 of Block 203 requesting the following variances:

Harry Hoff, 342 Front St appeared before the Board for a variance to construct a new single family dwelling on the Property located at 401 Union Ave., lot 1 of Block 203 requesting the following variances: Minimum lot area of 3,600 where 10,000 is required; minimum lot area of 3,600 where 10,000 is required; minimum lot width of 40' on Union Ave and 90.20' on Bayview Av where 100' is required on both streets; minimum lot frontage of 40' and 90.2 ' where 100 is required on both Sts. Min lot depth of 90.20 ft on Union and 40'on Bayview Ave where 100' is required (all pre-existing) min front setback of 6 ft on Bayview Av where 20' is required and Section 13-5.5c – Unroofed entrance porches, terraces, ADA ramps, stairs and landings which do not rise above the height of the floor level of the ground floor may extend up to 10'feet into the required front yard.

The resolution was introduced for Marina Energy for an application to remove the condition of approval specifically the condition of Lot consolidation of lots 1,101 & 2 of Block 249 from “Resolution of the Borough of Union Beach, Planning Board under the Municipal and Use Land Law N.J.S.A 40:55d-11 and relates to the project to be constructed on the property known as Block 249, Lots 1,101,102 and Block 247 Lots 12 and 13on the official tax map of the Borough of Union Beach, New Jersey and Hazlet, New Jersey. Mr. Wells moved to approve

and Mr. Cavallo seconded the motion. Voting yes: Steiner, Wells, Devino, Connors, Andreuzzi, Cavallo, Hoadley and Wade

The resolution for the property located at 920 Eighth St, lot 6 of Block 41 Zoning Permit #2239 would like to construct a single family dwelling on the 25 x 100' lot and is applying for the following Minimum are of 2,500 where 7,500 is required; Minimum lot width of 25' where 75' is required; Minimum lot front age of 25 where 75 is required; minimum rear setback of 29' where 30' is required; minimum side yard setback of 3 and 3' where 8' with two combined side yards of not less than 20' are required; total lot coverage of 38.75 where 25% is allowed. Councilman Andreuzzi moved to approve and Mrs. Wade seconded the motion. Voting yes: Steiner, Wells, Devino, Connors, Andreuzzi, Cavallo, Hoadley and Wade

The resolution approving Vincent Camarada, 315 Dock St lot 3 of Block 12 requesting variances for a covered front deck, an elevated one-story extension and an elevated rear wood deck was introduced to the Board. Zoning Permit 1765 the following variances area requested: Minimum lot area of 5,500 where 7,500 is required; Minimum lot width of 50' where 75 is required; minimum front setback of 8.7 ' where 20' is required minimum rear yard setback of 3; where 5' is required; minimum side yard setback of 11.9' and 7' where minimum of 8' with two combined side yards of not less than 20' is required; minimum side yard setback of 3' where 5' is required; total lot coverage 29% where 25 % is allowed. Mr. Connors moved to approve the resolution and Mr. Wells seconded the motion. Steiner, Wells, Devino, Connors, Cavallo, Hoadley and Wade. Abstaining: Moniz and Andreuzzi

The resolution approving variances for Anthony Viciguerra, 116 Poole Ave also known as lot 3 of Block 81 Zoning Permit Application 2224 Requesting a "Bigger front deck" Requesting the following variances: Minimum lot width 50 where 75 is required Minimum lot frontage of 50' where 75' is required; Minimum side yard setback of 6.8 ' where 8' with two combined side yards of not less than 20 feet is required. Yard area unroofed entrance porches terraces, ADA ramps, stairs and landings which do not rise above the height of the floor level of the ground floor may extend up to 10' into any required front yard. Councilman Cavallo moved to approve the resolution and Mr. Wells seconded the resolution. Voting yes: Steiner, Wells, Devino, Connors, Andreuzzi, Cavallo, Hoadley and Wade Abstaining:

The resolution for Joseph Savi for the property located at 1309 Florence Ave and known as lot 3 of Block 73. Joseph Savi has been approved for preliminary and final site plan review. The Use variance for this property was approved by the Board last December in a bifurcated application for the property located at 1309 Florence Ave and known as lot 3 of Block 73. Mr. Savi is planning to open a retail Motorcycle repair, parts, sales store with hours of operation Monday-Saturday 9am-7pm with two owners and one part-time employee. Councilman Andreuzzi moved to approve and Mr. Moniz seconded the motion. Voting yes: Steiner, Wells, Moniz, Connors, Andreuzzi, Cavallo, Hoadley and Wade. Abstaining: Devino.

Councilman Andreuzzi moved to approve the minutes of the previous meeting and Mrs. Wade seconded the motion. The motion was approved by a unanimous voice vote of approval.

There being no further business before the Board, Mr. Wells moved to close the meeting. At 9:42 and Councilman Cavallo seconded the motion. The motion was approved by a unanimous voice vote of approval.

Respectfully submitted,

Madeline Russo