

MINUTES OF THE MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY,
JULY 31, 2019 IN THE MUNICIPAL BUILDING, 650 POOLE AVENUE, UNION BEACH

During the Workshop Laura Hallam was sworn in as Alternate member #2 of the Board filling the unexpired term of Mrs. Wade who as Alternate #1 will be filling the unexpired term of Mr. Moniz both ending in December and Mr. Hoadley as a Class IV member will be filling Mr. Steiner's unexpired term ending 12/31/2022.

The regular meeting was called to order by 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: Charles Steiner, Mr. Frank Wells, Mr. Lloyd Coffey, Mr. John Moniz, Ms. Bruna Devino, Mr. Kenneth Connors, Captain Gabriel Farese, Councilman Louis Andreuzzi, Councilman Anthony Cavallo and Mrs. Laurette Wade and Ms. Laura Hallam. Patrick McNamara, Board attorney, Martin Truscott, Board engineer, and Madeline Russo, Board secretary were also present. Shannon Hoadley was unable to attend. Councilman Cavallo is Mayor Smith's representative.

Mr. Paul Mirabelli appeared before the Board representing Ronko Developers, Inc for the property located on Henry Street known as lot 11.01 of Block 63 for variances to construct a two-story, single-family dwelling on an undersized lot. The applicant is requesting the following variances: minimum lot of 2,500 where 7,500 is required; minimum width of 25 where 75 is required; minimum frontage of 25 where 75 is required; minimum side yard of 3.5' and 3.5' where not less than 20' is required; total lot coverage of 25% -where 36% is proposed. It was noted that proof of service is in order.

Mr. Mirabelli advised the Board that the applicant wanted to amend the application to reduce the size of the dwelling to 17 x 42 and presented into evidence A-1 a plan showing that.

Mr. McNamara spoke of the letter dated June 20th from the Zoning Officer regarding issues as to given insufficiency of the information being previously presented where it could not be determined whether there was a need for a height variance which would potentially impact the configuration of the board. In the notice and in the application information we have, a height variance was not sought nor advertised by the applicant.

Mr. Mirabelli stated that they were not seeking that variance that house they were presenting will be less than 30'.

Mr. Wells inquired if there was any backup on that? Mr. Mirabelli advised that the Planner will cover that.

Mr. McNamara stated that a notice of foreclosure was filed on behalf of Ronko and requested proof of title conveyed over to the applicant.

Mr. Ronald Koenig, President of Ronko, Inc. was sworn in. He is President and sole stockholder of Ronko, Inc. Mr. Koenig answered that he was aware of the foreclosure procedures and recorded and duly executed a deed on May.

Mr. Marc Leber, East Point Engineering, Marlboro was sworn in and accepted as an expert witness. Mr. Leber stated that both his engineering and planner Licenses are current. He stated that the property located at 109 Henry St, the second property to last on the left is located in an A-E zone elevation of

AE11 (or 13) in the R-8 zone and located in a flood zone. It is 2500 sq ft where 7500 sq ft is required; 25' on Henry St. The proposed dwelling has a 714 sq ft foot print with a total of 1,428 sq ft with three bedrooms. There will be a 20' setback and a 38' rear setback with two 4' side yard setbacks for a total of 8' where a total of 20' is required; 28.6% lot coverage where 25 is allowed; two off street parking spaces, 41.4% total impervious coverage, it has been 25 ft lot since 1930 with no overlap in deeds- Mr. McNamara requested a copy of same. Also, a C1 variance is required to construct on an undersized lot. Most of the surrounding properties are 50 and 75 feet in width. They have tried to adhere to all other requirements aesthetically compatible to the homes in the area. Positive criteria- converted into a developed lot and will bring a new family to the borough, a more affordable house for a young family looking to buy a house. There have been houses recently built on undersized lots at the following locations: 701 Beachview, 803 Shore, 710 Central 707 Beachview, 709 Beachview, 711 Beachview, 800 Center, 708 Fourth, 833 Fourth and 310 Pine St. The negative criteria is the neighborhood is fully developed. Mr. Leber introduced the architects' drawing.

Mr. McNamara advised that there is no way of knowing if this was designed with this footprint in mind and that obviously, with the changes that were described there is no way of knowing if the plans match what Mr. Leber is testifying to. They are not signed or sealed and the building height is not provided. It is the normal practice to have the person who has prepared the plans here to testify.

Mr. Mirabelli requested the application be carried to the August meeting.

Mr. McNamara requested the Board hear the members of the audience until the next meeting on August 28th. Notice will not be necessarily required unless there are changes that will require a new notice.

Mr. Russell Nalick, 111 Henry St. was sworn in and testified that he owns the property adjacent to the property in question. Mr. Nalick presented the Board and the applicant with a packet (marked Objector packet) containing information dating back to 1930 owner Dora Carr Block 3 lot 2, 1.18 acres. It came under borough ownership in 1930 until 1942 when it was split into two lots 33.2 and 33.3. He quoted multiple documents, including Greenfield develop – referencing putting more people in a flood zone and risking more pressure on emergency services. He stated that the road flood without a storm and referred to photos O1 and O2 which he had taken himself. He also referred to the UB Master Plan and Flood Management Plan and Federal Flood Plain law as well as the Land Use State Statue.

Mr. Leber pointed out that this is not a flood way – as some of the laws refer to flood ways.

Mr. Jeffrey Lowrey, 105 Henry St was sworn in. His family has owned the lot next to the property in question for many years and they have been taking care of the property mowing, etc. He is interested in purchasing but it is too expensive.

Joe Savi, 117 Henry St sworn in and inquired about an easement from BRSA also all but one house is on a 75 or 100+ lot.

The chairman asked if there was anyone else in the audience who wanted to speak. There was no one. Mr. Wells moved to carry the application until next month and Councilman Andreuzzi seconded the motion.

Voting yes: Steiner, Wells, Coffey, Moniz, Devino, Connors, Farese, Andreuzzi, Cavallo, and Wade

Mr. McNamara explained the purpose for the Executive session is due to the complaint signed against the Board by Dominic Mastrocola on July 24th docket # MON-L-2396-19 also a brief presentation so he can provide the Board with recent updates State Supreme Court ruling; and some additional background information regarding current ethics and conflict of interest requirements to be adhered to.

Mr. Wells moved to go into Executive session by acclamation at 8:47 and Councilman Andreuzzi seconded the motion. The motion was approved by a unanimous voice vote of approval.

Back in the regular meeting at 9:15 Mr. Steiner announced his retirement from the Board after 36 years of service. Mr. Steiner nominated Ken Connors for the position of Chairman and there were no other nominations. Nominations were closed. Mrs. Wade moved to approve Mr. Connors as Chairman and Councilman Andreuzzi seconded the motion and was approved by a unanimous voice vote of approval. Councilman Andreuzzi nominated Mr. John Moniz for Vice Chairman and Mr. Coffey seconded no further nominations. Voting yes: Wells, Coffey, Moniz, Devino, Connors, Farese, Andreuzzi, Cavallo, Wade and Hallam.

Councilman Andreuzzi spoke of Chuck Steiner, his many years on the Board, the help that he has given to all the members especially the Councilman. He thanked him for his years on Both the Zoning Board and this combined board. He thanked him especially for his friendship and for being his mentor for 36 years.

Mr. Connors announced that Mr. Moniz will be running the meeting next month because he will be out of town on business.

The following correspondence was received From the Zoning Officer:

546 Sydney Ave, 221 Lorillard Ave, 335 Park Ave, 520 Clark Ave, 9 Donnelly St, 127 Ash St, 811 Bayview Ave and 124 Poole Ave 108 Campbell St, 45 Scholer Dr, 20 Scholer Dr, 910 Union Ave, 427 Sullivan Pl, 348 Park Ave, 219 Herbert St, 19 Anderson St, 800 Rose Lane; Elevation Cert 314 Shore Rd; Final As-built 1104 Shore Rd 221 Lorillard Ave, 335 Park Ave, 520 Clark Ave, 9 Donnelly St, 127 Ash St, 811 Bayview Ave and 124 Poole Ave 221 Lorillard Ave, 307 Lorillard Ave, 532 Lorillard Ave, 1128 Florence Ave, 532 Lorillard Ave, 129 Dock St, 100 Central Ave, 107 State St; Elev. Cert 816 Seventh St, 348 Park Ave, 904 Fourth St, 731 Seventh Street; Final As-built 348 Park Ave, 904 Fourth St

Mr. Coffey moved to approve the minutes of the meeting and Mrs. Wade seconded the motion. The motion was carried by a unanimous voice vote of approval.

A reception followed in celebration of Chuck's many years of service.

There being no further business before the Board, Mrs. Wade moved to close the meeting at 9:23 and Mr. Coffey seconded the motion. The motion was approved by a unanimous voice vote of approval.

Respectfully submitted,

Madeline Russo