

MINUTES OF THE MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY, SEPTEMBER 29, 2021 IN THE MUNICIPAL BUILDING, 650 POOLE AVENUE, UNION BEACH HELD REMOTELY AND IN PERSON DUE TO SOCIAL DISTANCING RESTRICTIONS CAUSED BY COVID19.

The regular meeting which was held remotely, and in-person called to order by Chairman Kenneth Connors 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 virtually: Ms. Laura Hallam and Mr. Shannon Hoadley, Stan Slachetka, and Andrew Denbigh, T&M Associates. Chairman Ken Connors, Mr. Frank Wells, Ms. Bruna Devino, Mrs. Laurette Wade, Ms. Elizabeth Sweeney, Councilman Louis Andreuzzi, Councilman Anthony Cavallo, Mr. Michael Murray, Patrick McNamara Board attorney, Mr. Dennis Dayback, T&M Associates and Madeline Russo, Board secretary were present in person in the Council Chambers in the Municipal building. Mr. Lloyd Coffey was unable to attend the meeting.

The Chairman asked if there were any additions or deletions to the minutes. There were none. Councilman Andreuzzi moved to approve the minutes of the previous meeting and Mrs. Wade seconded the motion. Voting yes: Wade, Devino, Hoadley, Sweeney, Andreuzzi, Cavallo and Murray. Abstaining: Connors and Wells.

The Board received copies of zoning permits for the following from the Zoning Officer, Dennis Dayback: 805 Bay Avenue, 1020 High Avenue, 802 Lorillard Avenue, 415 Pine Street, 830 Third Street, 54 Scholer Drive, 335 Lorillard Avenue, 428 Morningside Avenue, 219 Broadway, 121 Herbert Street, 309 Broadway, 906 Second Street, 206 Newark Avenue, 405 Johnson Avenue, 1200 Paterson, 534 Front Street, 902 Lorillard, 1500 Union Avenue, 213 Herbert Street, 815 Ninth Street, 544 Sydney Avenue, 510 Park Avenue,

Augustine Young, 120 Henry St, lot 6.01 of Block 62 appeared before the Board with an application that had been carried from last month. Mr. Young and was sworn in. Mr. Young reintroduced his request for a variance to construct a 9ft elevated enclosed deck (96 sq. ft.) attached to the front of the dwelling. The variance required is for minimum front setback of 11' where 20' is required. Mr. Young introduced his application as an 8 x 12' enclosed Deck with a covered roof. Mr. Young advised that the structure is partially constructed. He started the job and applied for a permit in March of this year and was denied. He did have permits for his addition back and front decks, furnace, AC the enclosure and the roof.

Mr. Dayback verified that the comment made in his letter is a standard statement which is part of all variance letters. After much discussion chairman asked if there was anyone in the audience either for or against the application. There was no one. Ms. Devino moved to approve the application and Mr. Andreuzzi moved to amend the motion by requesting that the applicant have all necessary permits and inspections made on all related items. Mr. Hoadley seconded the motion. Voting yes: Devino, Hoadley, Sweeney, Andreuzzi, (with amendments), Cavallo (with amendments), and Hallam  
Voting no: Wade, Murray Abstaining: Connors, Wells

Lawrence Levine appeared representing Ela Aliza Properties. Howard Ryan, owner of 507 Bay Ave also known as lot 9 of Block 67 was sworn in and gave testimony. Requesting the following variances in order to provide a service deck to house the air conditioners and a generator.

Section 13-4.1(b) – No nonconforming building shall be enlarged, extended or increased unless such enlargement would tend to reduce the degree of nonconformance

\*pre-existing 2. Section 13-10.4 f.1.(a) – Minimum lot area of 5,000 sq. ft. where 7,500 sq. ft. is required \*pre-existing 3. Section 13-10.4 f.2.(a) – Minimum lot width of 50 feet where 75 feet is required \*pre-existing 4. Section 13-10.4 f.3.(a) – Minimum lot frontage of 50 feet where 75 feet is required \*pre-existing 5. Section 13-10.4 f.5 – Minimum front setback line of 10 feet where 20 feet is required \*pre-existing 6. Section 13-10.4 f.7(a) – Side yard setback of 2.5 feet where eight (8) feet, with two combined side yards of not less than 20 feet for the principal building \*pre-existing 7. Section 13-5.8 - Unroofed decks and/or raised patios which do not rise above the height of the first-floor level may extend up to five feet into the side yard setback. The existing deck has a side yard setback of 2.5 feet and has been extended for the elevated generator.

Mr. Dayback was sworn in and gave testimony with reference to the site plan, the application and the denial resulting in the need for the variance. After some discussion chairman asked if there was anyone in the audience either for or against the application. There was no one.

Mr. Wells moved to approve and Ms. Devino seconded the motion

Voting yes: Wells, Wade, Devino, Hoadley, Andreuzzi, Cavallo, Hallam, Murray

Voting no: Connors, Sweeney

8:44 recess 8:51 return to meeting

Peter H. Wegener, Esq., Bathgate, Wegener & Wolf, P.C, Lakewood representing Ronko Developers, Inc. Manalapan for the property located on the 700blk of Fourth St.

The following were sworn in: Mr. James Higgins, Lic. Planner Ron Koenig, Applicant, Dennis Dayback, Stan Slachetka and Andrew Denbigh of T&M Associates

Mr. Higgins and Mr. Slachetka accepted as expert witnesses.

Applicant is requesting the following variances for a 25 x 100 lot:

Section 13-10.4 f.1.(a) – Minimum lot area of 2,500 sq.ft. were 7,500 sqft is required.

2. Section 13-10.4 f.2.(a) – Minimum lot width of 25 feet on Fourth Street where 75 feet is required.

3. Section 13-10.4 f.3.(a) – Minimum lot frontage of 25 feet on Fourth Street where 75 feet is required.

4. Section 13-10.4 f.5.(a) – Minimum front setback of 14 feet and 18 Feet along Fourth Street where 20 feet is required.

5. Section 13-10.4 f.7.(a) – Minimum side yard setback of 3.5 feet on both sides where 8 feet, with a combined total of 20 feet is required.

6. Section 13-5.5 d – The total lot coverage of the square footage of the ground floors of all buildings located on a lot in any residential zone shall not exceed 25% of the total square footage of the lot as shown on the survey provided. The proposed building coverage is 31.68%.

Mr. Higgins gave his view of the property showing exhibit A-1. Mr. Higgins stated that the Applicant has attempted to sell this property or purchase the adjacent lot -he has not received an answer to either. Twenty-three lots in the area are 25 x 100' lots. Applicant cannot acquire or sell any other property.

Placed on record:

A-1 survey showing 7 block area around the subject property

A-2 Tax sale certificate December 2014 of lot 15

A-3 March 3, 2017 Lot 15 tax sale certificate

Board inquired as to when the lot came into existence. Discussion as to how the previous owner came to the Board meeting years ago for the subdivision of this property.

Mr. Koenig advised that the present owner of lot<N<MN took ownership in June 2018 through a tax sale. Previous owners were Unknown owner/George Mitchell.

Board requested a copy of the title search. After some discussion chairman asked if there was anyone in the audience either for or against the application. Mr. Hoff, 342 Front St. Spoke in favor of the application and proceeded to present paperwork that he believes shows a legal separation of the properties.

Mr. Wells moved to continue the hearing next month without need for new notice Mrs. Wade seconded the motion. Voting yes: Connors, Wells, Devino, Wade, Sweeney, Andreuzzi, Cavallo, Murray

Abstaining: Hoadley

There being no further business Chairman Connors moved to close the meeting at 9:32 and Councilman Andreuzzi seconded the motion. The motion was carried by a unanimous voice vote of approval.

Respectfully submitted,

Madeline Russo