

**REGULAR MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY,
NOVEMBER 30, 2022 IN THE MUNICIPAL BUILDING AT
650 POOLE AVENUE, UNION BEACH NEW JERSEY HELD AT 7:00 PM**

CALL TO ORDER

THIS MEETING HAS 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. THE UNION BEACH PLANNING BOARD MEETINGS ARE BEING HELD IN PERSON.

SALUTE TO THE FLAG

ROLL CALL

MR KENNETH CONNORS

MR. FRANK WELLS

MR. LLOYD COFFEY

MS. BRUNA DEVINO

MR. SHANNON HOADLEY

MS. ELIZABETH SWEENEY

COUNCILMAN LOUIS ANDREUZZI

MAYOR CHARLES COCUZZA ****

COUNCILMAN ANTHONY CAVALLO

MS. LAURA HALLAM

MR. MICHAEL MURRAY

PATRICK MCNAMARA, Board Attorney

DENNIS DAYBACK, Zoning Official

ANDREW DENBIGH, Engineer

KENDRA LELIE, Planner

LAURETTE WADE, Secretary

MINUTES OF THE PREVIOUS MEETING

Motion to:

Moved by:

Seconded by:

Vote:

CORRESPONDENCE

B14, L7, 1712 Florence Ave; B43, L5, 802 Seventh St; B148, L10, 340 Park Ave; B121, L11, 304 Arlington Ave; B242, L120,120 Isabelle Ave; bB43, L5, 802 Seventh St; Block 60, L9, 124 Campbell St (2 apps); B17, L3.01, 21 Johnson Ave; B42, L8, 816 Eighth St; B15, L1.01, 603 Florence Ave - Performance Guarantee Estimate; B164, L3, 437 Aumack Ave; B44, L16, 817 Seventh St; B36, L9, 903 Center St; B184, L10, 826 Jersey Ave; B153, L17, 425 Bayview Ave; B61, L6, 136 Herbert St; B159, L5 & 5.01, 908 Spruce Street (2 apps); B209, L7, 717 Prospect Ave; B148, L10, 340 Park Ave; B196, L7.01, 524 Columbia Ave; B201, L14, 536 Lorillard Ave; B159, L4.01, 910 Spruce St; B40, L7&8, 327 Prospect Ave; B15, L1.02, 502 Dock St; B150, L21, 353 Lorillard Ave (2 Apps); B48, L4.01, 703 Florence Ave; B204, L2, 535 Lorillard Ave; B46, L3, 500 Florence Ave; B203, L1, 632 Bayview Ave; B37, L13, 917 Fifth St; B190, L11, 915 Union Ave

structure lawfully existed before the adoption of the ordinance which rendered the use or structure nonconforming.

Motion to:
Seconded by:

Moved by:
Voting:

60 Creek Road LLC, 1009 Harris Ave, Union Beach is applying for a certificate of prior non-conformance for the property located at **354 Lorillard Ave/401 Spruce Street, also known as Block 149, Lot 16**. The subject property is a non-conforming corner lot. It is located in the R8 Residential Zone and consists of two (2) single family residences. The primary structure or principal structure located on the subject property was elevated and reconstructed as part of Zoning Application #1930. At that time, the applicant was advised that since two structures existed on the subject property, which is not permitted use as outlined in Section 13-10.4 within R8 Residential Zone and there is no record of such use being approved by the Land Use Board, a "D1" use variance must be obtained from the Land Use Board for a non-conforming use, to allow two (2) single family dwelling units to be constructed on a single lot.

The Municipal Land Use law defines "Nonconforming Use" as "a use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district for which it is located by reason of such adoption, revision or amendment" The prospective purchaser, prospective mortgagee, or any person interested in any land upon which a nonconforming use or structure exists may apply in writing for the issuance of a certificate certifying that the use or structure existed before the adoption of the ordinance which rendered the use or structure nonconforming. The applicant shall have the burden of proof. In addition, Chapter 27 of the Municipal Land Use Law states, "There is no question but that the total destruction of a nonconformance use, whether by design or accident, terminates the use."

Motion to:
Seconded by:

Moved by:
Voting:

Shawn Spanier, 411 Bayview Ave, is applying for a variance to erect a pool deck at the property located at **411 Bayview Ave, also known as Block 153, Lot 19.01**. Variances required:

Minimum lot area of 5,000 SF where 7,500 SF is required. *pre-existing

Minimum lot width of 50 feet where 75 feet is required. * pre-existing

Minimum lot frontage of 50 feet where 75 feet is required. * pre-existing

Minimum side yard setback of 0 feet where 5 feet is required.

Minimum rear yard setback of 0 feet where 5 feet is required.

Motion to:
Seconded by:

Moved by:
Voting:

EXECUTIVE SESSION NECESSARY

Civil Action Summons: Dubleski Custom Homes, LLC vs. Planning Board of the Borough of Union Beach

Civil Action Summons: Tony Medina vs. Borough of Union Beach Planning Board

Civil Action Summons: Harry Hoff vs. Borough of Union Beach Planning Board

Chairman Connors calls for a Motion to go into Closed Session at ___ P.M. in accordance with the Open Public Meetings Act, permitting the exclusion of the public from a meeting in certain circumstances. This action will be taken to discuss matters falling within attorney-client privileges, specifically, pending or anticipated litigation, contract negotiations and matters of employment of public employees.

ADJOURNMENT

TIME: