REGULAR MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY, FEBRUARY 21, 2023 IN THE MUNICIPAL BUILDING AT 650 POOLE AVENUE, UNION BEACH NEW JERSEY HELD AT 7:00 PM

| CALL TO ORDER | |
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| THIS MEETING HAS BEEN DULY ADVERTISED | IN THE ASBURY PARK PRESS AND THE |
| INDEPENDENT IN ACCORDANCE WITH THE N | NEW JERSEY OPEN PUBLIC MEETINGS ACT, MORE |
| COMMONLY KNOWN AS THE SUNSHINE LAV | V. |
| SALUTE TO THE FLAG | |
| ROLL CALL | |
| MR KENNETH CONNORS | COUNCILMAN LOUIS ANDREUZZI |
| MR. FRANK WELLS | MAYOR CHARLES COCUZZA |
| MR. LLOYD COFFEY | COUNCILMAN ANTHONY CAVALLO |
| MS. BRUNA DEVINO | MS. LAURA HALLAM |
| MR. SHANNON HOADLEY | MR. MICHAEL MURRAY |
| MS. ELIZABETH SWEENEY | MR. RUSSELL NALICK |
| PATRICK MCNAMARA, Board Attorney | |
| DENNIS DAYBACK, Zoning Official | |
| ANDREW DENBIGH, Engineer | |
| CAROLINE REITER, Planner | |
| LAURETTE WADE, Secretary | |
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MINUTES OF THE PREVIOUS MEETING

| Motion to: | | | Moved by: | | | Seconded by: | | |
|------------|----------|----------|-----------|---------|---------|--------------|--|--|
| Connors | _ Wells | Coffey | _ Devino | Hoadley | Sweeney | Andreuzzi | | |
| Cavallo | Hallam _ | Murray _ | Nalick _ | | | | | |

CORRESPONDENCE

B150, L26.02, 331 Lorillard Ave; B150, L17.01 & 20, 335 Lorillard Ave; B18, L19, 502 Dock St; B237, L3.01, 1200 Patterson Ave; B170, L6, 554 Ocean Ave; B48, L5, 719 Seventh St; B200, L51, 519 Central Ave; B169, L2, 610 & 612 Aumack Ave; B167, L14, 825 Highway 36; B40, L5 & 9, 934 Seventh St; B37, L5, 914 Center St; B149, L12, 340 Lorillard Ave; B200, L51, 519 Central Ave; B18, L19, 302 Dock St; B195, L16, 527 Cambridge Ave; B125, L16.01, 633 Poole Ave; B36, L1, 900 Fourth St; B214, L14, 814 Park Ave; B170, L6, 554 Ocean Ave; B19, L21, 300 Florence Ave; 709 Beachview Ave

PUBLIC HEARING

Harry Hoff, 342 Front Street (continued from December/January meeting) is applying to construct a new mixed use structure at the property located at 915 Union Ave, also known as Block 190 Lot 11. Variances required:

Minimum lot area of +4,120 SF, where 15,000 SF is required. *pre-existing Minimum lot width of 40 feet where 100 feet is required. *pre-existing Minimum lot frontage of 40 feet where 100 feet is required. *pre-existing Minimum lot depth of ± 103 feet, where 150 feet is required. *pre-existing

Motion to:

Moved by:

Seconded by:

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| Connors Cavallo | | | | | _ Sweeney _ | Andreuzzi | | |
| Juan Medina, 2358 Great Harbor Dr, Kissimmee, FI appearing before the Board for a "Whispering Woods" hearing for the property located at 734 Second Street/203 Florence Ave, also known as Block 7, Lot 4. The application is to demolish the existing 3-family home and construct a 2-family home more conforming to the lot. This is part of the settlement reached in pre-trial litigation. | | | | | | | | |
| Motion to: | | | Moved l | oy: | S | econded by: | | |
| Connors Cavallo | | | | | _ Sweeney _ | Andreuzzi | | |
| Mr. Dubleski, Dubleski Custom Homes, LLC, Hazlet appearing before the Board for a "Whispering Woods" hearing for a minor subdivision with variances. The property is located at 204 Morningside Avenue also known as Block 139, Lot 19 & 20. This is part of the settlement reached in pre-trial litigation. | | | | | | | | |
| Motion to: | | | Moved l | oy: | S | econded by: | | |
| Connors Cavallo | | | | | _ Sweeney _ | Andreuzzi | | |
| conformanc Block 149, L Residential 2 principal str | e for the poot 16. The Zone and courture local to the poot 2 to 10 to 2 to | roperty loc subject pro onsists of to ated on the | ated at 354 operty is a r wo (2) singl subject pro | Lorillard Avenon-conforming family residently was elemented by the conformation of the | e/401 Sprucing corner lo lences. The evated and | rtificate of prior ne Street, also knoot. It is located in toprimary structure reconstructed as persons truct would be since two struct. | wn as the R8 or part of | |

UBPB Page 2

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 bing 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 used or activity which was lawful prior to the adoption, revision or amendement of a zoning ordinace, but which fails to confdorm to the requirement sof the zoning district for which it is located by reasons of such adoption, revision or amendement" 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 applicatant shall have the burder of proof. In addition, Chapter 27 of the Municpal 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."

Seconded by:

Moved by:

Motion to:

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| Connors Wells Coffey Cavallo Hallam Murray _ | | Sweeney Andreuzzi | | | | | |
| conformance for the property loc Lot 13. The subject property is a The property has one primary pri exterior stairs to second floor apa Zone, single family dwellings only shall be used for residential purp family or occupants of the princip | cated at 531-533 Mornin 75'x100' conforming interincipal structure and an a artment. In accordance verse permitted use. Sectoses by any person or person building or others em | ying for a certificate of prior non- ngside Ave, also known as Block 193, erior lot in the R8 Residential Zone. accessory building (garage) with with Section 13-10.4, R8 Residential ion 143-5.8(f) No accessory building ersons, including members of the aployed on the premises. Section 13- or staircases that provide access to | | | | | |
| Motion to: | Moved by: | Seconded by: | | | | | |
| Connors Wells Coffey Cavallo Hallam Murray _ | | Sweeney Andreuzzi | | | | | |
| Deputy Ventures, 23 Deputy Minister Drive, Colts Neck, NJ is applying to for site plan approval to construct 3 buildings with 2 units each on the property located at 300-306 Union Ave, also known as Block 39, Lots 25 & 26. This property is located in R-8 subject to the Commercial Corridor Redevelopment Plan as amended by Ordinance #2022-317. Property was previously approved (January 2022) for a mixed use (commercial/residential) project, however NJDEP prohibited the development of non-residential portions of mixed use buildings withing Coastal "A" Flood Zones. Variance Required: Front Setback: 14.2' ft to deck & 13.5' to bay window where 15' is required. Maximum building height of 34.3' where maximum of 30' is permitted. | | | | | | | |
| Motion to: | Moved by: | Seconded by: | | | | | |
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| Connors _ | Wells | Coffey | _ Devino | Hoadley | Sweeney | Andreuzzi |
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| Cavallo | _ Hallam _ | Murray _ | Nalick _ | | | |
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| RESOLUTION | <u>ONS</u> | | | | | |
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| Motion to | : | | Moved | by: | Sec | conded by: |
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| | | concy Murray _ | | | Sweeney | Andredzzi |
| Cavallo | _ 114114111 | iviairay _ | Numer _ | | | |
| Resolution | 2023-02 A | ttorney Pat | rick McNan | nara | | |
| Motion to | | , | Moved | | Sec | conded by: |
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| Connors _ | Wells | Coffey | _ Devino | Hoadley | Sweeney | _ Andreuzzi |
| | | Murray _ | | | | |
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| Resolution | 2023-3 Vi | ce Chairmar | Shannon H | Hoadley | | |
| Motion to | : | | Moved | by: | Sec | conded by: |
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| | | | | | Sweeney | _ Andreuzzi |
| Cavallo | _ Hallam _ | Murray _ | Nalick _ | | | |
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| Motion to | • | | Moved | by: | Sec | conded by: |
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| Resolution | 2023-05 T | & M Associ | iates | | | |
| Motion to | | | Moved | bv: | Sec | conded by: |
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| Connors _ | Wells | Coffey | _ Devino | Hoadley | Sweeney | Andreuzzi |
| Cavallo | _ Hallam _ | Murray _ | Nalick _ | | | |
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| Resolution | 2023-06 N | lewspapers | (Asbury Pa | rk Press & Sta | ar Ledger) | |
| Motion to | : | | Moved | by: | Sed | conded by: |
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| Cavallo | _ Hallam _ | Murray _ | Nalick _ | | | |
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| kesolution | 1 2023-07 S | chedule of r | meeting dat | tes | | |

| Motion to: | Moved by: | Seconded by: | | |
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| Connors Wells Coffey Cavallo Hallam Murr | | Sweeney Andreuzzi | | |
| UBPB | February 26, 2020 | page 3 | | |
| Resolution 2023-08 Conflict A Motion to: | Attorney James Gorman Moved by: | Seconded by: | | |
| Connors Wells Coffey Cavallo Hallam Murr | | Sweeney Andreuzzi | | |
| to subdivide the property loc The subject property is a pre- | rated at 1104 Shore Drive, also existing 75' x 170' irregular of (2) lots, consisting of a nonlot. Variance relief is required where 10,000 SF is required. | | | |
| Motion to: | Moved by: | Seconded by: | | |
| Connors Wells Coffey Cavallo Hallam Murr | | Sweeney Andreuzzi | | |
| BILLS AND VOUCHERS | | | | |
| OLD BUSINESS | | | | |
| NEW BUSINESS | | | | |
| EXECUTIVE SESSION NECESS Civil Action Summons: Duble Beach | | lanning Board of the Borough of Unior | | |
| Civil Action Summons: Tony | Medina vs. Borough of Union | n Beach Planning Board | | |
| Civil Action Summons: Harry | Hoff vs. Borough of Union B | each Planning Board | | |
| the Open Public Meetings Ac | t, permitting the exclusion o | ssion atP.M. in accordance with f the public from a meeting in certain rs falling within attorney-client | | |

| privileges | , specifically | , pending or | anticipated | litigation, | contract | negotiations | and n | natters of |
|------------|----------------|--------------|-------------|-------------|----------|--------------|-------|------------|
| employm | ent of public | c employees | J. | | | | | |

ADJOURNMENT TIME: