## REGULAR MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY, MARCH 29, 2023 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 ADVERTISE	D IN THE ASBURY PARK PRESS AND THE STAR LEDGER
IN ACCORDANCE WITH THE NEW JERSEY O	PEN PUBLIC MEETINGS ACT, MORE COMMONLY
KNOWN AS THE SUNSHINE LAW.	
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

## MINUTES OF THE PREVIOUS MEETING

viotion to:			Movea	by:	Se	conaea by:	
Connors	Wells	Coffey	_ Devino	Hoadley	Sweeney	Andreuzzi	
Cavallo	_ Hallam	Murray _	Nalick _				

## **CORRESPONDENCE**

B15, L1.02, 502 Dock St; B7, L4, 716 Second St; B199 L10, 615 Central Ave; B217, L6.01, 824 Bayview Ave; B52, L19.01, 717 Eighth St (EC/As-Built); B7, L4, 716 Second St; B214, L14, 814 Park Ave; B61, L15, 115 Campbell St (EC/As-Built); B41, L11, 920 Pine St; B85, L9, 131 Central Ave; B54, L10, 907 Florence Ave; B242, L8, 1247 Route 36; B61, L6, 136 Herbert St (FCSD); B210, L25 & 26, 300-306 Union Ave (MCPB); B187, L1,2&16, 710 Union Ave (MCPB); B36, L6.01, 907 Center St (FSCD); B37, L5, 914 Center St; B149, L12, 340 Lorillard Ave; B85, L7, 126 Park Ave; B78, L20, 214 Bayview Ave; B164, L10 & 11, 403 & 409 Aumack Ave; B223, L12, 811 Prospect Ave; B69, L4, 202 Henry St (2); B125, L16.01, 633 Poole Ave; B244, L6, 348 Bayview Ave; B48, L4.01, 703 Florence Ave; B133, L18, 8 Heckelmann St; B54, L4, 720 Eighth St; B179, L4, 1017 Route 36 B153, L19.01, 411 Bayview Ave; B22, L18, 621-623 Front St; B194, L13, 561 Sydney Ave; B69, L4, 202 Henry St (2); B19, L21, 300 Florence Ave; B84, L14, 103 Park Ave; B105, L2.01, 204 State St; B242, L8,1247 Route 36; B237, L1,1200 Paterson Ave;

## **PUBLIC HEARING**

Motion to:

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.

Seconded by:

Moved by:

, , , , , , , , , , , , , , , , , , ,				
Connors Wells Coffey Devino Hoadley Sweeney Andreuzzi				
Cavallo Hallam Murray Nalick				
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				
<b>Block 149, Lot 16.</b> 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 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 applicata	nt			
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."				
Motion to: Moved by: Seconded by:				
Connors Wells Coffey Devino Hoadley Sweeney Andreuzzi				
Cavallo Hallam Murray Nalick				

Mackus LLC, 18 Tall Woods Drive, Manalapan, NJ is applying for a certificate of prior non-conformance for the property located at 531-533 Morningside Ave, also known as Block 193, Lot 13. The subject property is a 75'x100' conforming interior lot in the R8 Residential Zone. The property has one primary principal structure and an accessory building (garage) with

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exterior stairs to second floor apartment. In accordance with Section 13-10.4, R8 Residential Zone, single family dwellings only are permitted use. Section 143-5.8(f) No accessory building shall be used for residential purposes by any person or persons, including members of the family or occupants of the principal building or others employed on the premises. Section 13-5.8 (g) Detached accessory buildings shall not have exterior staircases that provide access to any attic space.

Motion to:	Moved by:	Seconded by:
Connors Wells Coffey Cavallo Hallam Murray _		Sweeney Andreuzzi
to construct 3 buildings with 2 un known as Block 210, Lots 25 & 20 Corridor Redevelopment Plan as approved (January 2022) for a mi	nits each on the property 6. This property is locate amended by Ordinance exed use (commercial/re- con-residential portions of ed: 13.5' to bay window who	•
Motion to:	Moved by:	Seconded by:
Connors Wells Coffey Cavallo Hallam Murray _		Sweeney Andreuzzi
<u>RESOLUTIONS</u>		
	property located at <b>915</b> where 15,000 SF is required. ere 100 feet is required. where 100 feet is requir	. *pre-existing ed. *pre-existing
Motion to:	Moved by:	Seconded by:
Connors Wells Coffey Cavallo Hallam Murray _		Sweeney Andreuzzi

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**Resolution approving the application of** Juan Medina, 2358 Great Harbor Dr, Kissimmee, Fl 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 by:	Seconded by:
Connors Wells Coffey Cavallo Hallam Murray		ey Andreuzzi
BILLS AND VOUCHERS		
OLD BUSINESS		
NEW BUSINESS		
EXECUTIVE SESSION NECESSARY Civil Action Summons: Dubleski C Beach		oard of the Borough of Union
Civil Action Summons: Tony Med	ina vs. Borough of Union Beach P	lanning Board
Civil Action Summons: Harry Hoff	f vs. Borough of Union Beach Plar	ining Board
Chairman Connors calls for a Moti the Open Public Meetings Act, pe circumstances. This action will be privileges, specifically, pending or employment of public employees.	rmitting the exclusion of the puble taken to discuss matters falling vanticipated litigation, contract ne	ic from a meeting in certain vithin attorney-client

TIME:

**ADJOURNMENT** 

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