

MINUTES OF THE MEETING OF THE UNION BEACH PLANNING BOARD HELD ON WEDNESDAY, DECEMBER 13, 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: Mr. Shannon Hoadley, Andrew Denbigh and Robert Dare, T&M Associates. Chairman Ken Connors, Mr. Frank Wells, Mr. Lloyd Coffey, Ms. Bruna Devino, Mr. Shannon Hoadley, Ms. Elizabeth Sweeney, Councilman Louis Andreuzzi, Councilman Anthony Cavallo, 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. Ms. Laura Hallam and Mr. Mrs. Laurette Wade unable to attend the meeting.

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,

Announcement made that Mr. Servidio's application for 901-903 Sixth St and Mr. Hoff's application for 430 Aumack Ave. will both be carried. Mr. Wells moved to carry the Servidio application without need for new notice unless changes are made in the application and Councilman Andreuzzi seconded the motion. Voting yes: Connors, Wells, Coffey, Devino, Hoadley, Sweeney, Murray. Abstaining: Andreuzzi and Cavallo. Councilman Andreuzzi moved to carry the Hoff application without need for new notice unless changes are made in the application and Mr. wells seconded the motion. Voting yes: Connors, Wells, Coffey, Devino, Hoadley, Sweeney, Murray. Abstaining: Andreuzzi and Cavallo.

Marc Lieber, Planner and Engineer for the applicant, Dennis Dayback, Stan Slachetka and Andrew Denbigh of T&M were all sworn in. Mr. Medina appeared virtually and was sworn in. Mr. Mirabelli appeared representing Tony Medina, 2358 Great Harbor Drive Kissimmee, FL. The application is for a Use variance In accordance with Section 13-10.4, R8 Residential Zone, two-family structures are not permitted. It shall be noted, upon review of files for the subject property, there is no record of such use being approved by the Planning Board, the subject development for a two-family structure for the above referenced property shall require 'D' variance relief, as well as site plan approval from the Planning Board. Additionally, bulk variance relief shall be required for the following, as shown on the survey provided:

Section 13-10.4 f.1.(a) – Minimum lot area of 5,000 sq ft were 10,000 sq ft is required. *preexisting 2.
Section 13-10.4 f.2.(a) – Minimum lot width of 50 feet on Florence Avenue where 100 feet is required.

*pre-existing 3. Section 13-10.4 f.3.(a) – Minimum lot frontage of 50 feet on Florence Avenue where 100 feet is required *pre-existing 4. Section 13-10.4 f.4.(a) – Minimum lot depth of 50 feet on Second Street where 100 feet is required *pre-existing UBCH-G2004 October 14, 2020 Le: Tony Medina Page 2 Re: Zoning Permit Application No. 2960 Block 7 Lot 11 734 Second Street 5. 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 lot coverage is 26.4%. Mr. Mirabelli introduced Mr. Lieber who has been accepted as an expert before the Board.

Mr. Lieber presented Exhibit 1 – a variance plan dated October 28, 2021 by East Point He described the property as a corner lot with two structures 734 Second St and 203 Florence a 50 x 100 lot f5' on Florence there is presently 3 units as per the tax, sewer and electric records. We have shown the Board that this has existed for many years – never been abandoned never been the intention of the owner to vacate the multi-family use. The Borough issued a substantial damage letter of 2013 indicating that the entire structure be brought into compliance. They previously appeared before the Board to appeal the Zoning officer's decision and the Board upheld his decision. Now they are applying for a use variance for a two-family Structure. He presented the variance requirements. The Board discussed the property how the multiple buildings came to be and how the building might Be reconfigured if the application were to be approved. He feels this will be good architecturally for this part of town and that the reduction from three family to two family is a positive application.

Mr. Connors asked Mr. Slachetka for his opinion regarding this property and what impact it has on the neighborhood. He responded that he feels the applicant needs to show how this project complies with the Master Plan and how it will preserve and protect the residential character of the Borough. How will this bring this more into conformity.

Mr. Dayback advised that there will be another variance necessary. Due to the overhang on the front porch on Florence Ave., it will interfere with the front setback which becomes 16' not 20' as requested by the applicant.

Mr. McNamara inquired if there was anyone in the audience either in person or virtual who wanted to address the Board. There was none. He reminded everyone that five affirmative votes are required to pass.

Mr. Dayback stated that other than the two bulk variances that need to be addressed, the utility connection details and the sidewalk and curb repair as well as the entrance on Florence Ave requiring County approval.

Mr. Denbigh asked about the setback of the stairs. There was a discussion about the stairs outside of the dwelling and the possibility of placing them inside the house. And the square footage of the apartments. If approved, as per Mr. Dayback, it will be necessary for the applicant to provide an updated site plan.

Mr. Wells moved to approve the application and Ms. Devino seconded. The following changes will be made in the plan if approved: Move the house up 10ft on second street, get rid of the steps in the front of both apartments and recess the front doors which will involve some interior adjustment by the architect a d sidewalk, curbing and County approvals. Voting Yes: Wells, Coffey, Devino and Murray. Voting no: Connors, Hoadley and Sweeney

Resolution approving the application of Ronko Developers, Inc. Manalapan for the property located on the 700blk of Fourth St. was introduced to the Board. Applicant was approved for the following variances for a 25 x 100 lot: Section 13-10.4 f.1.(a) – Minimum lot area of 2,500 sq. ft. where 7,500 sq. ft. 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 one side and 4 feet one side 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 30.08%.

Motion to approve made by Lloyd Coffey and Seconded by Shannon Hoadley. Voting yes: Connors, Wells, Coffey, Devino, Sweeney and Murray.
Abstaining: Hoadley

Resolution approving Florence Development – 603 Florence Ave. A subdivision of an existing nonconforming corner lot. The lot is located on the west side of Florence Avenue at the intersection of Dock Street. The subject property is in the R8 Residential Zone. It shall be noted, the subject property received site plan approval and a use variance from the Planning Board to permit mixed-use on January 31, 2007. In accordance with Section 13-4.2 Abandonment, a nonconforming use or building shall be presumed to be abandoned when there occurs a cessation of use or activity by an apparent act or failure on the part of the tenant or owner to reinstate such use or occupancy within a period of one year from the date of cessation of discontinuance. The applicant proposes to subdivide the subject property into two non-conforming corner lots. The existing two-story structure will remain on one lot (Proposed Lot 1.01) with a new single-family structure on the other lot (Proposed Lot 1.02).

Please keep in mind the variance listed below assumes the acquisition of the vacated right of way Proposed Lot 1A 1. Section 13-10.4 f.1.(b) – Minimum lot area of 9,124 sq ft were 10,000 sq ft is required 2. Section 13-10.4 f.2.(b) – Minimum lot width of 88 feet on Dock Street where 100 feet is required. 3. Section 13-10.4 f.3.(b) – Minimum lot frontage of 21 feet on Fifth Street and 100 is required. 4. Section 13-10.4 f.4.(b) – Minimum lot depth of 31 feet on Dock Street and 44 feet on Florence Avenue where 100 feet is required on both streets. 5. Section 13-10.4 f.5 – Minimum front setback of 11 feet on Dock Street and 9.27 feet on Florence Avenue where 20 feet is required. 6. Section 13-10.4 f.7 – Minimum side yard setback of 16 feet where 20 feet is required. Proposed Lot 1B 1. Section 13-10.4 f.1.(b) – Minimum lot area of 7,500 sq ft were 10,000 sq ft is required. 2. Section 13-10.4 f.2.(b) – Minimum lot width of 85 feet on Dock Street where 100 feet is required. 3. Section 13-10.4 f.3.(b) – Minimum lot frontage of 85 feet on Dock Street where 100 feet is required. 4. Section 13-10.4 f.4.(b) – Minimum lot depth of 69 feet on Dock Street 100 feet is required on both streets. Lastly, in accordance with Section 13-3. 6. d. 2. b., no change or extension of use and no alterations shall be made to the nonconforming structure or premises without an occupancy permit having first been issued by the Construction Official stating that such change is in conformity or that same has been permitted by action

of the Planning Board. Motion to approve made by Lloyd Coffey and seconded by Shannon Hoadley

Voting yes: Connors, wells, Hoadley, Sweeney, Murray

Abstaining: Andreuzzi and Cavallo

The following Bills were paid:

Asbury Park Press	Meeting announcement	\$58.40
Asbury Park Press	Change in meeting announcement	\$58.40
Independent	Meeting announcement	\$58.88

There being no further business Councilman Andreuzzi moved to close the meeting at 9:22 and Mr. Wells seconded the motion. The motion was carried by a unanimous voice vote of approval.

Respectfully submitted,

Madeline Russo