

# TOWNSHIP OF MIDDLETOWN

## Zoning Board of Adjustment and Appeals

One Kings Highway  
Middletown, NJ 07748-2504

JAMES HINCKLEY  
Chairman



AMY H. CITRANO, P.P., A.I.C.P.  
Director of Planning

ERIN URIARTE  
Secretary

Organized December 14, 1667  
"Pride in Middletown"

Tel: (732) 615-2102  
Fax: (732) 615-2103

### ZONING BOARD MEETING MINUTES JANUARY 24, 2022

A Regular Meeting of the Zoning Board of the Township of Middletown was held in the main meeting room at Town Hall, One Kings Highway, Middletown New Jersey at 7:00 PM on December 13, 2021.

Vice-Chair Bouw called the meeting to order and read a statement of compliance with the Open Public Meetings Act. All notification for this meeting was given pursuant to the Open Public Meetings Act at least 48 hours prior to this meeting.

Roll call was taken with the following members present: Mr. Wrede, Mrs. Bouw, Mr. Truscott, Mr. Hinckley, Mr. Truscott, Mr. Hibell, Mr. Bane, Mrs. Rogers, Mrs. Sheridan, Mr. Bruncati

Also present: Gregory Vella, Esq., Board Attorney; Amy H. Citrano, P.P., Township Planner; Morgan Astorino, Assistant Planner; Erin Uriarte, Board Secretary

Absent: None

A Salute to the Flag followed.

Mr. Vella announced for the public that the following applications would not be heard:

**#2021-015, Kenneth & Lauren Aravich, Block 962, Lot 14, 385 Highway 35, Application for Use Variance and Minor Site Plan Approval** – This application is being carried to February 28, 2022 and new notice will be given.

**#2021-016, Adam & Marisha Sirios, Block 770, Lot 4, 24 Witches Lane, Application for Planning & Bulk Variances** – This application is being carried to February 28, 2022 at 7:00 PM in the Main Meeting Room at 1 Kings Highway, Middletown, no further notice will be required.

**#2021-107, TMA Kalian LLC, Block 698, Lot 12, 59 Oakland Ave, Application for Minor Subdivision Approval** – This application has been withdrawn from the Zoning Board and transferred to the Planning Board. New notice will be required.

#### **RE-ORGANIZATION OF THE BOARD**

**Election of the Chairman** – Mr. Hibell offered a motion to nominate James Hinckley as Chairman of the Board, seconded by Mrs. Bouw.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

**Many Neighborhoods. One Middletown!**

Belford ◊ Chapel Hill ◊ Fairview ◊ Harmony ◊ Leonardo ◊ Lincroft ◊ Locust ◊ Middletown Village  
Monmouth Hills ◊ Navesink ◊ New Monmouth ◊ North Middletown ◊ Nut Swamp ◊ Oak Hill ◊ Port Monmouth ◊ River Plaza

**Election of the Vice Chairman** – Mr. Wrede offered a motion to nominate Chantal Bouw as Vice-Chair of the Board, seconded by Mr. Truscott.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

**Appointment of Board Attorney** – Mr. Wrede offered a motion to appoint Gregory Vella, Esq. of Collins, Vella & Casello as Board Attorney, seconded by Mr. Truscott.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

Chairman Hinckley advised he will be recusing himself from the Engineer appointments due to a conflict.

**Appointment of Board Engineer** – Mrs. Bouw offered a motion to appoint David Hoder of Hoder Associates as the Board Engineer, seconded by Mr. Wrede.

Roll Call:

Ayes: Wrede, Bouw, Truscott, Hibell, Bane, Rogers, Sheridan

Nays: None

**Appointment of Conflict Board Engineer** – Mrs. Bouw offered a motion to appoint CME Associates as Conflict Board Engineer, seconded by Mr. Wrede.

Roll Call:

Ayes: Wrede, Bouw, Truscott, Hibell, Bane, Rogers, Sheridan

Nays: None

**Appointment of Board Secretary** – Mr. Hinckley offered a motion to appoint Erin Uriarte as Board Secretary, seconded by Mr. Hibell.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

### **APPROVAL OF MINUTES**

**November 22, 2021** – MR. HIBELL OFFERED A MOTION TO APPROVE THE MINUTES OF NOVEMBER 22, 2021, SECONDED BY MR. TRUSCOTT.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Hibell, Bane, Sheridan, Bruncati

Nays: None

**December 13, 2021** – MR. HIBELL OFFERED A MOTION TO APPROVE THE MINUTES OF DECEMBER 13, 2021, SECONDED BY MR. TRUSCOTT.

Roll Call:

Ayes: Wrede, Bouw, Truscott, Hibell, Sheridan

Nays: None

### **APPROVAL OF RESOLUTIONS**

**Resolution Adopting Meeting Dates & Designating Official Newspapers for 2022** – MR. HIBELL OFFERED A MOTION TO ADOPT THE RESOLUTION, SECONDED BY MR. WREDE.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

### **ADMINISTRATIVE MATTERS**

**Payment of Vouchers** – Mrs. Bouw noted that the vouchers have been reviewed and they are in order.

MRS. BOUW OFFERED A MOTION TO APPROVE THE VOUCHERS FOR JANUARY 24, 2022, SECONDED BY MR. HIBELL. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

**OLD BUSINESS** – None

### **NEW BUSINESS**

**#2021-017, Daniel & Nicole Nagle, Block 840.01, Lot 12, 669 Locust Point Road, Application for Bulk Variance** – Mr. Vella advised the notices are in order and the Board has jurisdiction to hear this matter.

A Zoning Plan, consisting of one sheet, prepared by Insite Engineering, LLC, dated August 2, 2021, was marked as Exhibit A-1. The Planning Director's Technical Memo, dated January 4, 2022, was marked as Exhibit ZB-1.

Patrick Ward was sworn in and accepted as an expert engineer and planner. Nicole and Daniel Nagle were sworn in as the property owners.

An aerial exhibit was marked as Exhibit A-2. Mr. Ward advised the imagery is dated October 2021. He described the property location, pointing out that the subject property sits at a curved portion of Locust Point Road. The area in which they are seeking relief has already been constructed by the builder, the applicant purchased the home as is with a temporary Certificate of Occupancy, due to the lot coverage issue. While the applicant could just remove the additional pavement, they have found that it provides an area to safely turnaround on-site allowing for safer exit onto the Locust Point Road. Referring to Exhibit A-1, Mr. Ward highlighted the outline of the driveway, pointing out the small section that is not in compliance.

Mrs. Nagle advised there is currently no parking allowed on Locust Point Road, so the additional pavement allows for more parking for their in-laws and babysitters. Many other properties in this area have circular driveways, however this property does not have the space to install one. The extra pavement allows them to safely turnaround on-site rather than trying to back out onto Locust Point Road, especially since they are on the curve, where vehicles travel rather fast, it is not always easy to see the oncoming traffic.

Mr. Hibell asked for clarification as to what was proposed and what was constructed, which was answered by Mr. Ward. There is approximately 300 square feet of extra pavement.

Mrs. Bouw advised that if the Board approves the variance, the homeowner would be maxed out at lot coverage and any future improvements would need relief. Ms. Citrano advised that there are some exceptions to what could be added without affecting lot area, but they will be maxed out on coverage. Mr. Vella clarified for the applicant. Mrs. Nagle advised they have no desire to add anything but asked about an uncovered deck or small patio. Ms. Citrano clarified that they may not count towards coverage, if the deck is uncovered and the patio remains under a certain size. She further advised that when that time comes, to meet with her to discuss. Mr. Ward added that there is a deck approved on the plan, however it has not been constructed.

Mr. Hinckley offered comments indicating he feels this is a much safer alternative, given the dangerous curve along Locust Point Road.

Mr. Hinckley opened the hearing to members of the public, however none appeared. Mrs. Bouw offered a motion to close the public portion, seconded by Mr. Hibell. All present members voted in favor by voice vote.

Mr. Vella noted that there would be no conditions imposed on any affirmative action by the Board.

Board members offered comments indicated the applicant has met the burden of proof for granting the variance, given the dangerous curve on Locust Point Road.

MRS. BOUW OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. HIBELL.

Roll Call:

Ayes: Wrede, Bouw, Hinckley, Truscott, Hibell, Bane, Rogers

Nays: None

**EXECUTIVE SESSION** – None

**ADJOURNMENT**

MR. BANE OFFERED A MOTION TO ADJOURN THE MEETING AT 7:42 PM, SECONDED BY MRS. ROGERS.  
ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte  
Board Secretary