

TOWNSHIP OF MIDDLETOWN

Planning Board
One Kings Highway
Middletown, NJ 07748-2504

DAVID MERCES
Chairman



Organized December 14, 1667
"Pride in Middletown"

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

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PLANNING BOARD MEETING MINUTES MARCH 1, 2023

A Regular Meeting of the Planning Board of the Township of Middletown was held in the main meeting room at Town Hall, One Kings Highway, Middletown, New Jersey, at 6:30 P.M. on March 1, 2023. Chairman Merces read a statement to advise the notice requirements provided for the Open Public Meetings Act have been satisfied. Pursuant to the Open Public Meetings Act and Laws of 1975, the Middletown Planning Board notified the Two River Times, and the Asbury Park Press on January 12, 2023. Notice of the meeting was filed with the Township Clerk and posted in Town Hall. 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: Chairman Merces, Vice-Chairman Rathjen, Mr. Berson, Mr. Rentschler, Mr. Colangelo, Mr. Schweizer, Mr. Banasiak (arrived at 6:32 pm)

Also present: James Gorman, Board Attorney; Robert Keady, PE, Board Engineer; Amy H. Citrano, Director of Planning; Morgan Astorino, Assistant Planner

A salute to the flag followed.

Ms. Uriarte read the agenda for the record.

APPROVAL OF MINUTES

February 1, 2023 – Mr. Schweizer offered a motion to approve the minutes, seconded by Mr. Rathjen. All present eligible members voted in favor by voice vote.

RESOLUTIONS

#2022-104, Bontempo, 129 Magnolia Lane, Block 460, Lots 7, 8, 9 & 10, Granting Minor Subdivision Approval – Mr. Schweizer offered a motion to approve the Resolution, seconded by Mr. Rathjen.

Roll Call:

Ayes: Merces, Rathjen, Berson, Rentschler, Colangelo, Schweizer, Banasiak

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

#2023-100, Tartara, 911 Navesink River Road, Block 840, Lots 69.02 & 69.03, Granting Minor Subdivision Approval with Variances – Mr. Rathjen offered a motion to approve the Resolution, seconded by Mr. Schweizer.

Roll Call:

Ayes: Merces, Rathjen, Berson, Rentschler, Colangelo, Schweizer, Banasiak

Nays: None

ADMINISTRATIVE MATTERS

None

OLD BUSINESS

None

NEW BUSINESS

#2022-106, Rosina Landi, 4 Old Colonial Road, Block 591, Lots 15, Seeking Minor Subdivision Approval with Variances – Mr. Gorman advised the notices are in order and the Board has jurisdiction to hear this matter. A revised plan, received prior to the meeting, was marked as Exhibit A-1.

Michael Pugliese, Esq. appeared on behalf of the Landi family. He advised the plan submitted this evening just fixes some typos and makes small changes.

Michael Landi and Jennifer Landi were sworn in as the applicants. Mr. Landi advised his parents have owned the home for about 40 years and he currently resides in the home with his parents, siblings and spouses. He originally wanted to construct an addition but his professionals advised a 2nd home would be more feasible.

Chairman Merces indicated safety concerns with the existing roadway to the home. Mr. Landi advised emergency services have made it down in the past to fight a fire in the rear of a home across the street. No roadway improvements are proposed.

Mr. Gitto advised that road improvements will be hard pressed as the applicant can only address their frontage; the problem will still exist in other areas of the road. Mr. Gitto confirmed an eight-foot right-of-way is shown on the tax map.

Michael Landi Sr. was sworn in as a property owner. He advised that when the development was built around him, he fought to have the additional land for safe access to his home.

Mr. Landi Jr. advised that the lot is irregularly shaped and they need a variance for the second home due to the irregular shape of the lot. The new home will be for him and his wife, who currently live on the property so there will be no extra vehicles on site. He added that the home occupation vehicles will be removed. They operate a casino rental business from the home, but they do not do any business there; they just store equipment at the property.

Mr. Berson asked for clarification on the business use. Mr. Landi Sr. advised they only store the equipment on-site, no business is done out of the home.

Mr. Rathjen indicated concerns with the amount of impervious coverage and suggested they remove the pool to meet the coverage requirements.

Mr. Gitto advised that his office will be seeking additional mitigation for the run-off and the drywell proposed will only serve a portion of the site. Mr. Pugliese advised the new lot coverage numbers are on the plans submitted this evening. Mr. Gitto advised additional mitigation is still needed.

Mr. Landi Sr. advised that everyone around them have pools, they shouldn't have to rip theirs out. Mr. Schweizer advised not everyone is seeking a second home on the lot.

Mr. Schweizer indicated concerns with emergency access. He was Chief at the fire that was mentioned and noted that they made it work however the ideal width would be a minimum of 20 feet. The roadway as it exists is not satisfactory. Mr. Landi Sr. advised it was approved that way. Mr. Schweizer advised that the access easement to the newly proposed home should be a 24-foot-wide paved surface.

Mr. Berson asked which lot the pool will be on. Ms. Citrano advised it will be on the new lot, however relief is required for placement within a required setback area.

Mr. Banasiak asked how they will connect to utilities. Mr. Pugliese advised that water, electric and sewer will be run through the utility and access easement. The house is currently on well water so they are excited to tie in to municipal water. Mr. Gitto advised there will be significant disturbance to the roadway to connect to water, the applicant must agree to restore any disturbance to the roadway. Mr. Landi agreed.

Mr. Gorman asked for clarification on the easement. Mr. Gitto advised that will be considered an off-site improvement.

Mr. Gitto referenced the sidewalk requirement and asked if the applicant agrees to make a contribution in lieu of installing sidewalks. Mr. Landi Sr. advised they never asked him to put in sidewalks, there's no room. After a brief discussion, the applicant agreed to contribute in lieu of installing sidewalks.

Ms. Citrano advised that she would feel more comfortable seeing a plan with the requested access width as it will have a ripple effect on the entire plan. Mr. Landi Sr. advised they will do whatever they have to do. Ms. Citrano indicated concern that the Master Plan never envisioned an additional home on the lot. If a wider easement is being considered it will affect lot coverage, existing improvements, and the design of the drywell.

Mr. Rathjen advised he has been on the Board for over 30 years and does not recall granting a variance for a pool in the front yard.

Ms. Citrano requested Planning testimony related to the variances requested.

Mr. Banasiak asked for clarification on the drywell design. Mr. Gitto explained the drywell as designed will only handle the run-off for the new lot, not the lot with the existing home.

Chairman Merces opened the hearing to members of the public who wish to ask questions, however none were received.

Chairman Merces opened the hearing to members of the public who would like to make comments.

John Scolaro, 101 Bonnie Drive, was sworn in and noted his proximity to the proposed subdivision. He purchased his home a year ago and would not have if there had been another

house there. He has concerns with the proposed driveway being so close to his home and concerns with the vehicles on the existing site. He advised commercial vehicles are lined up the roadway often.

Daniel Guidice, 103 Bonnie Drive, was sworn in and indicated concern with run-off and flooding as well as privacy concerns. The access driveway is essentially running parallel to his and his neighbors' decks.

Mr. Guidice and Mr. Scolaro both indicated concern with setting precedent.

Nancy Geant, 41 Bay Tree Circle, was sworn in and advised she lives in the home that had been on fire across from the property in question. She offered comments related to the Wild Willy's Casino business that is run from the home a large Bonanza box truck along with more than 10 vehicles that are normally present were not present when the fire occurred. She indicated concern with currently viewing what looks like a parking lot behind her home. The employees return with the trucks very late at night and it can be a nuisance.

Kieran Golden, 10 Old Colonial Road, was sworn in and advised he lives next door to the property and is in favor of the application. His family has lived on the property for many years and he feels taxpayers should be able to do what they want to their own property.

Seeing no further comments, Chairman Mercus closed the public portion.

Mr. Banasiak asked for clarification regarding the Bonanza truck and Wild Willy's Casino. Mr. Landi advised they only store equipment at the site, the business is not run out of the home.

Mr. Mercus explained they are at the point for a vote. Mr. Pugliese advised he would like to request an adjournment in order to revise the plans to address the comments and concerns received this evening.

Mr. Gorman announced this application is being carried to May 3, 2023 at 6:30 pm and no further notice will be required.

ADJOURNMENT

MR. SCHWEIZER OFFERED A MOTION TO ADJOURN THE MEETING AT 7:43 PM, SECONDED BY MR. BANASIAK. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte,
Board Secretary