

TOWNSHIP OF MIDDLETOWN

Zoning Board of Adjustment and Appeals

1 Kings Highway
Middletown, NJ 07748-2504

JAMES HINCKLEY
Chairman



Organized December 14, 1667
"Pride in Middletown"

SANYOGITA S. CHAVAN, P.P., A.I.C.P.
Director of Planning

ERIN URIARTE
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ZONING BOARD MEETING MINUTES MARCH 22, 2021

A Regular Meeting of the Zoning Board of the Township of Middletown was held in via Cisco WebEx Meetings at 7:00 P.M. on March 22, 2021.

Chairman Hinckley called the meeting to order and read the following notice:

This is a Regular Meeting of the Zoning Board of the Township of Middletown. Pursuant to the Open Public Meetings Act and Laws of 1975, the public was notified that the Zoning Board will meet virtually on March 22, 2021 via WebEx. The Middletown Zoning Board notified the Independent and the Star Ledger on January 25, 2021 and published in the Two River Times on February 4, 2021. Notice of the meeting was filed with the Township Clerk and posted in Town Hall on January 25, 2021.

To ensure the health and safety of our residents during the COVID-19 pandemic, Middletown Township Planning Board changed the format to virtual meetings. All notification for this meeting was given pursuant to the Open Public Meetings Act at least 48 hours prior to this meeting.

This meeting is being conducted remotely using the "WebEx" format. When members of the public join the meeting, your microphone will be muted to ensure a clear recording of tonight's meeting. Each individual will have control over their video element of the meeting.

During the public comment section of the meeting, individuals will need to virtually "raise" their hand to participate using the WebEx controls at the bottom of the screen to "raise" your hand. Do not offer comments or ask questions in the chat box, you will be given a time to speak on the record. The moderator will announce your designation and relay it to the board. Once the board acknowledges you, you will be unmuted. If you are a dial-in caller you will hear a beep when it is your turn to speak. Once the discussion has concluded, you will be placed back on mute and the board will proceed to the next public comment.

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

Also present: Gregory Vella, Esq., Board Attorney; Sanyogita Chavan, Township Planner; Erin Uriarte, Board Secretary; and Jon Trigg, Middletown MIS Department.

A salute to the flag followed.

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

Mr. Hinckley took a moment to announce the resignation of the Township Planner, Ms. Chavan, and noted that this will be her last meeting with the Zoning Board. Board Members thanked Ms. Chavan for all of her work during her time with Middletown.

ADMINISTRATIVE MATTERS

Approval of Meeting Minutes – January 25, 2021– MR. HIBELL OFFERED A MOTION TO APPROVE THE JANUARY 25, 2021 MINUTES, SECONDED BY MR. TRUSCOTT. ALL ELIGIBLE MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Payment of Vouchers – MRS. BOUW OFFERED A MOTION TO APPROVE THE PAYMENT OF VOUCHERS FOR MARCH 22, 2021, SECONDED BY MR. HINCKLEY. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

2020 Annual Report – Ms. Chavan summarized the report and noted that the regulation pertaining to front and side yard fences needs some work in the future. The 50% rule should be looked at. A suggestion is made to increase the fences to 90% open with the slats being evenly distributed.

Mr. Truscott offered a motion to adopt the Annual Report, seconded by Mr. Wrede. All present members voted in favor by voice vote.

RESOLUTIONS

#2020-001, G. Logan Construction, South End Ave – Denial of Bulk Variances - MR. HIBELL OFFERED A MOTION TO APPROVE THE RESOLUTION, SECONDED BY MR. TRUSCOTT.

Roll Call:

Ayes: Mr. Hinckley, Mrs. Bouw, Mr. Zaccardo, Mr. Truscott, Mr. Bane, Mr. Hibell, Mr. Bruncati

Nays: None

#2020-010, G. Logan Construction, Monmouth Ave – Approval of Bulk Variances – MRS. BOUW OFFERED A MOTION TO APPROVE THE RESOLUTION, SECONDED BY MR. HIBELL.

Roll Call:

Ayes: Mr. Hinckley, Mrs. Bouw, Mr. Wrede, Mr. Zaccardo, Mr. Truscott, Mr. Bane, Mr. Hibell

Nays: None

OLD BUSINESS

#2020-003, General Plumbing Supply, Blocks 204 & 205, Lot 1, 170 Highway 36, Application for Major Site Plan and “D” Variance Approval – Mr. Vella explained this application will not be heard and is being carried to April 26, 2021 with no further notice required. The Agenda, with meeting link, will be posted on the Township Website 48 hours in advance of that meeting.

NEW BUSINESS

#2021-101, D’Alessandro, 500 Locust Point Road, Block 840, Lot 53, Application for Bulk Variance – Mr. Hinckley noted that the property in question seems to be the subject of a strange subdivision, many years ago which resulted in this oddly shaped lot.

Mr. Vella explained the notices are in order and the Board has jurisdiction to hear this matter. The following exhibits were previously marked: A Survey of Property of Lot 53 Block 840, prepared by Morgan Engineering & Survey consisting of one sheet, dated July 30, 2019 was marked as Exhibit A-1. The Planner’s Report, dated March 11, 2021 was marked as Exhibit ZB-1.

Dominic D'Alessandro was sworn in as the homeowner and applicant and explained he is seeking a side yard setback variance in association with a newly proposed detached garage. The narrowness of the lot provides a hardship in placing the garage in a conforming location, as there is no way to achieve the 40 foot required setback anywhere on the lot. The purposed of the detached garage will be to store his vehicle and some lawn care equipment. The nursery to the right of his property contains a structure with similar setbacks and the property on the other side has a carriage house with similar setbacks. Mr. D'Alessandro noted the zoning requirements reflect the historically larger lots in the area and are not practical for the small lot he owns.

Mrs. Bouw suggested increasing the proposed 9 foot setback to 11 feet however Mr. D'Alessandro explained he prefers the extra two feet so that the car can fit with the lawn equipment. He added that the garage will not be viewable to the neighbors on that side. He confirmed the driveway will be extended back to the proposed structure.

Mr. Wrede stated that he doesn't feel the 12 feet versus 14 feet would make much difference and the neighbor's driveway is on that side, creating minimal impact on the neighbors.

Ms. Chavan explained that the narrowness of the lot would bring it closer to the R-5 zone standards, rather than the R-110 zoning that is in place currently. She further explained that the driveway location is currently compliant with setback requirements, however moving it would trigger a variance.

Chairman Hinckley opened the meeting to members of the public who wish to ask questions or give comments, however none were received.

Mrs. Bouw stated that she is okay with the proposed setback given the Planner's testimony.

Mr. Vella noted there were no conditions discussed therefore none would be included in a Resolution, should the Board act in the affirmative.

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

Roll Call:

Ayes: Mr. Hinckley, Mrs. Bouw, Mr. Wrede, Mr. Zaccardo, Mr. Truscott, Mr. Bane, Mr. Hibell

Nays: None

Mr. Vella advised the Resolution will be memorialized at the next meeting.

EXECUTIVE SESSION - Mr. Vella explained there is no need for an Executive Session as they are waiting on a hearing for the Mason litigation.

ADJOURNMENT

MRS. BOUW OFFERED A MOTION TO ADJOURN THE MEETING AT 9:50 PM, SECONDED BY MR. ZACCARDO. ALL MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte, Board Secretary