

TOWNSHIP OF MIDDLETOWN

Zoning Board of Adjustment and Appeals

3 Penelope Lane
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
Planning Board Secretary

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

ZONING BOARD MEETING MINUTES MARCH 25, 2019

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 P.M. on March 25, 2019.

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

The Notice Requirements provided for the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Independent, the Star Ledger and the Two River Times and by posting at the Middletown Township Municipal Building and filing with the Township Clerk on December 20, 2018. 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, Mr. Hinckley, Mrs. Bouw, Mrs. Sonatore, Mrs. Gisoni, Mr. Zaccardo, Mr. Truscott, Mrs. Sheridan, Mr. Bruncati

Also present: Gregory Vella, Esq., Board Attorney; Amy Sarrinikolaou & Thomas Incorvaia, Board Planners

Absent: Mr. Bane

A salute to the flag followed.

Chairman Hinckley opened the meeting to any members of the public who wish to speak on non-agenda items however no comments were received.

RESOLUTIONS – None

ADMINISTRATIVE MATTERS

Payment of Vouchers – Ms. Bouw indicated she has reviewed the vouchers and found them to be in order.

Motion was made and seconded to approve the payment of vouchers for March 25, 2019. All present members voted in favor by voice vote.

EXECUTIVE SESSION

Mr. Vella asked for a motion to enter into executive session to discuss pending litigation. Motion was made and seconded. All present members voted in favor by voice vote.

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

The Board adjourned Executive Session and reconvened the regular meeting at 7:30 pm.

NEW BUSINESS

#2019-003, Tom-Kat Enterprises. 93 Center Ave, Block 350, Lot 6 – Mr. Vella noted that the notices are in order and the Board has jurisdiction to hear this matter.

A set of architectural plans, prepared by Conduris consulting was marked as Exhibit A-1. A Planning review memo, dated March 18, 2019 was marked as Exhibit ZB-1.

Bernard Reilly introduced himself as the attorney for the applicant and summarized the application. The applicants are a retired couple who is renovating homes in the area that have been damaged by Hurricane Sandy.

Kathy Welch, principal of Tom Kat LLC, was sworn in. Mrs. Welch described her real estate background and the experience of rebuilding after Sandy that drove her and her husband to do this type of work. Ms. Welch described that it was a vacant home that had been in foreclosure when it was purchased. The Applicant received zoning approval to construct a 1310 sq. foot first floor addition and an 891 sq. foot second story addition. However during construction, the applicant learned that the walls in the front of the home were substantially deteriorated and required the removal of the existing walls which then required variance relief to address the issues that had arose. When the stone was removed from the front of the existing home, the window came with it and eventually compromised the structural integrity of the wall.

A colored architectural rendering of the proposed home, prepared by Anthony Condouris was marked as Exhibit A-2. A photo exhibit showing the view from the house was marked as Exhibit A-3. A Bird's Eye view of the house was marked as Exhibit A-4. A photo exhibit showing the view from the rear of the home was marked as Exhibit A-5.

Anthony Condouris was sworn in and summarized the application. The subject property has a 100 foot of frontage on Center Avenue and presently contains an existing single-family home. The Applicant received zoning approval to construct a 1310 sq. foot first floor addition and an 891 sq. foot second story addition. Since the additions did not increase the existing deviations from the Zoning Ordinances, the applicant received zoning approval. As a result of the removal of the walls, the applicant received a stop construction order due to the walls no longer remaining intact, thus, the applicant required variances for the existing deviations. The subject property is unique, in that the front of the property contains an approximate 3 to 5 foot retaining wall that runs the length the property, other than the driveway entrance which is to the eastside of the property. The property is substantially raised in the front, requiring the retaining wall. The applicant is unable to modify the existing driveway due to the retaining wall that runs the length of the property. The applicant is proposing a 1310 sq. ft. first floor addition and an 891 sq. ft. second story addition with an unroofed deck to the existing single-family dwelling. After reviewing the Planning review letter, Mr. Condouris advised that he will add the gable/dormers and/or shutters to the plan on the front elevation and add the trees to be preserved to the grading plan that will be submitted as part of the permitting process.

Discussion was held regarding alternative designs, however the applicant indicated there are many factors related to moving the home such as the foundation, basement, driveway and the location of the trees they are trying to save. Mr. Condouris explained the layout of the home, noting that the original foundation was built all the way up and became part of the walls. He feels that the new design will help the home meet the character of the existing neighborhood.

Mr. Hinckley opened the hearing to members of the public for any questions or comments, however none were received.

Mr. Hinckley indicated this is a unique lot and he is comfortable with the proposal.

Mr. Vella indicated that any motion of approval should include that applicant will comply with the requirements of the Fire Department, the shed will be included in lot coverage and they will comply with lot coverage, additions to the front elevations and tree locations, as discussed.

Mr. Truscott added that he wishes he home could have complied with the setbacks.

Mr. Zaccardo offered a motion to approve the application, seconded by Ms. Sonatore.

Roll Call:

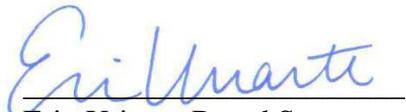
Ayes: Wrede, Bouw, Hinckley, Sonatore, Zaccardo, Truscott, Sheridan

Nays: Ms. Gisondi

ADJOURNMENT

Mr. Hinckley offered a motion to adjourn the meeting at 8:45 pm, seconded by Mr. Wrede. All present members voted in favor by voice vote.

Prepared by:



Erin Uriarte, Board Secretary
Zoning Board of Adjustment