

TOWNSHIP OF MIDDLETOWN

Zoning Board of Adjustment
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
Board Secretary

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

ZONING BOARD MEETING MINUTES APRIL 22, 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 April 22, 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, Ms. Sonatore, Mr. Truscott, Ms. Sheridan, Mr. Buncati

Also present: Gregory Vella, Esq., Board Attorney; and Amy Sarrinikolaou and Thomas Incorvaia, Board Planners; Erin Uriarte, Board Secretary

Absent: Ms. Bouw, Mr. Zaccardo, Mr. Bane

A salute to the flag followed.

Chairman Hinckley advised that Board Member Gisoni has resigned for personal reasons.

Chairman Hinckley advised that he will not be opening the meeting as is not a requirement. Mr. Vella confirmed the requirement to hold public comment only applies to the Governing Body.

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

APPROVAL OF RESOLUTIONS

#2019-003, Tom Kat Enterprises LLC – Approval of Bulk Variances

MR. WREDE OFFERED A MOTION TO APPROVE THE RESOLUTION, SECONDED BY MS. SONATORE.

Roll Call:

Ayes: Wrede, Hinckley, Sonatore, Truscott, Sheridan

Nays: None

ADMINISTRATIVE MATTERS

None

NEW BUSINESS

#2014-018, Evergreen Builders – Mr. Vella noted that there was an application for an extension of time that is being requested due to a the recalculation of a bond estimate and installation of road improvements

MR. TRUSCOTT OFFERED A MOTION TO ADOPT THE RESOLUTION, SECONDED BY MS. SONATORE.

Roll Call:

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

Nays: None

#2019-002, 303 Cooper Road, Earle – Mr. Vella advised this application is being carried to May 13, 2019 and no further notice will be required.

MR. WREDE OFFERED A MOTION TO CARRY THE APPLICATION TO MAY 13, 2019 WITH NO FURTHER NOTICE REQUIRED. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

#2019-007, 173 Whipporwill Valley Road, The Farm at Whipporwill – Mr. Vella advised this applicant had noticed for the meeting, however upon resubmission of their plans, they were found to be compliant and a variance is no longer required.

MR. TRUSCOT OFFERED A MOTION TO DISMISS THE APPLICATION WIHOUT PREJUDICE, SECONDED BY MS. SONATORE.

Roll Call:

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

Nays: None

#2019-005, Chiano, Block 855, Lot 9, 216 Kingfisher Drive, Bulk Variance for Side Yard Setback – Mr. Vella noted that the notices are in order and the Board has jurisdiction to hear this matter. Chairman Hinckley explained to the applicant that this is a “C” variance, which means the applicant must show how this will improve the community or show that it will not impact or impair the community or zone plan.

A survey of the property, dated December 29, 2011 was marked as Exhibit A-1. The architectural plans were marked as Exhibit A-2. The Planning Review letter was marked as Exhibit ZB-1.

Brian Chiaino was sworn in as the applicant. Mr. Chiaino advised that they are requesting the variance to construct a permanent roof structure above the existing patio area. They are proposing a side yard setback of 45 feet where 50 feet is required. He does not feel there would be any detriment to the public as it will not be visible from the roadway. This is a corner lot with frontage on King Fisher as well as Oriole and due to the slope of the property this area is not visible to neighbors. They are proposing materials which would match the existing home and roof. He added that his neighbor to the rear has a similar structure that was buffered with trees and shrubs. The alternative plan would be two temporary gazebo structures, which would not have to comply with setbacks but would be a lot less attractive.

Chairman Hinckley offered comments to stress the importance of the zone plan and setback requirements. He asked if the applicant has thought of a retractable awning. Mr. Chiaino replied that would not address the needs of the family.

Mr. Truscott noted that it is a corner lot, with less area than some of the neighbors.

Mr. Hinckley opened the meeting to any members of the public who wish to ask questions or make comments however none were received.

Ms. Sonatore indicated concern with setting precedents for permanent structures in the setback areas.

Mr. Hinckley explained the Board's role and the importance of setback requirements. He feels that there are alternative designs that can be explored rather than placing a permanent structure in the setback area.

MS. SONATORE OFFERED A MOTION TO DENY THE APPLICATION, SECONDED BY MR. WREDE.

Roll Call:

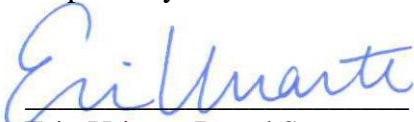
Ayes: Wrede, Hinckley, Sonatore, Truscott, Sheridan,

Nays: None

ADJOURNMENT

MR. HINCKLEY OFFERED A MOTION TO ADJOURN THE MEETING AT 7:45 PM, SECONDED BY MR. WREDE. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte, Board Secretary
Zoning Board of Adjustment