

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"

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ZONING BOARD MEETING MINUTES MAY 13, 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 May 13, 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, Ms. Bouw, Mr. Zaccardo, Mr. Buncati

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

Absent: Mr. Bane

A salute to the flag followed.

ADMINISTRATIVE MATTERS

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

MS. BOUW OFFERED A MOTION TO APPROVE THE PAYMENT OF VOUCHERS FOR MAY 13, 2019, SECONDED BY MS. SONATORE. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Chairman Hinckley advised he is going to switch the order of the Agenda items.

NEW BUSINESS

#2019-008, Robert Ranno, Block 797, Lot 16, 94 Southview Terrace, Application for Bulk "C" Variance Approval for Side Yard Setback – The applicant is proposing to construct a 26'

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

x 32' (832 sf), 16' in height, detached garage ten (10') feet from the west side property line. Variance relief is required for side-yard setback where 10' is proposed and 25' is required.

Chairman Hinckley advised the applicant of the burden of proof that must be met in order to receive a variance approval from the Board. Mr. Kalwinsky noted that the notices are in order and the Board has jurisdiction to hear this matter.

Robert Ranno was sworn in as the applicant and property owner. Mr. Ranno stated that although he has quite a bit of land, it is heavily wooded and he would like to avoid removing trees. He feels that lining the garage up with the recently expanded driveway would be more aesthetically pleasing and it would also make it easier to pull his vehicles in to the garage from the driveway. If he were to meet the setbacks he would end up with a garage only 5 feet off of his principal dwelling. The existing attached garage contains lawn maintenance tools, a second refrigerator, a stand up freezer and a workshop. He would like to construct the additional garage to store his collection of vehicles, which is 4 cars and a motorcycle.

Chairman Hinckley stressed the importance of the setback ordinance.

At this time the hearing was opened to the public, however no comments or questions were received.

Chairman Hinckley indicated concern with granting the variance. A discussion was held and the applicant agreed to meet the setback requirements.

Mr. Ranno withdrew the application.

MS. SONNATORE OFFERED A MOTION TO ACKNOWLEDGE THE WITHDRAWAL, SECONDED BY MR. WREDE.

Roll Call:

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

Nays: None

#2019-002, Thomas J. Earle, Block 882, Lot 17.01, 303 Cooper Road, Application for Bulk

“C” Variance for Rear-Yard Setback, Building and Lot Coverage - Applicant seeks approval to renovate and expand the existing single family dwelling, increasing the principal building footprint from 4,592 SF to 7,058 SF, and gross floor area from 6,704 SF to 10,311 SF; and to construct a 1,920 SF, 25' tall, detached barn to the rear of the property.

Mr. Kalwinsky advised that the notices are in order and the Board has jurisdiction to hear this matter.

Rick Brodsky introduced himself as the Attorney for the applicant, Thomas Earle. Mr. Brodsky noted that the property is currently single family residential. The applicant is requesting a variance to permit a renovation and expansion of the existing home, rather than a total demolition and building a new home. There are several mature planting in the front yard and the home is currently setback at 178 feet. It is in the R-220 zone, which requires 5 acre lots so this is an already undersized lot with only 3.8 acres existing. The variances being requested are for the existing setbacks on the property, a new rear setback associated with the proposed barn structure as well as variances for both lot and building coverage. There are several gravel driveways on the property, both existing and proposed, this township includes gravel in the calculations which drives the need for the variance. When the property was purchased in 2013 the accessory dwelling was on site as well as the pool area and pergola. The applicant will agree to deed restrict the accessory dwelling to a domestic employee only. When the home was purchased, the

lot was already at 16% lot coverage. Research has found that a lot line adjustment took place to build the accessory structure without needing a variance, however they built the home only approximately 71 feet from the property line rather than the 75 feet required, however CO's were issues both at that time and at the time of the sale to this owner.

Steven Krog was sworn in and accepted as an expert in the field of Landscape Architect.

An aerial photo of the site was marked as Exhibit A-1. An Illustrative Plan and colored rendering of the grading plan was marked as Exhibit A-2. The grading plan was marked as Exhibit A-3. A Tree Plan was marked as Exhibit A-4.

Mr. Krog described the property location, noting that the neighboring properties are mainly equestrian uses and paddocks. The property currently slopes in a northwest to southeast direction and contains 23 large trees, 5 of which will be removed for construction. There is also a continuous holly hedge along Cooper Road. The pergola, as discussed, was in place when the property was purchased, however it too requires relief.

Chairman Hinckley indicated concern with lot coverage. Mr. Krog stated that the lot is an undersized lot and the coverage is mainly driven by the inclusion of gravel in the calculations. If it were a 5 acre lot, it would be at 14% coverage which is also non-conforming but is consistent with other lots in the area.

Cathy Zuckerman was sworn in and accepted as an expert Architect.

A colored artist's rendering was marked as Exhibit A-5. An artist's rendering and photo of the existing home were marked as Exhibit A-6. Sheet A-2 of the floor plans was marked as Exhibit A-7. The floor plan of the basement was marked as Exhibit A-8. The second floor plan was marked as Exhibit A-9. The front and rear elevations were marked as Exhibit A-10. The side elevation was marked as Exhibit A-11. The roof plan was marked as Exhibit A-12. The floor plans for the proposed barn were marked as Exhibit A-13. The Barn Elevation was marked as Exhibit A-14.

Ms. Zuckerman described how she came up with the design for this home, noting that it was part of the original Strauss Estate so she looked up the hill for design elements to continue. The basis of the design was to add depth to the home, while maintaining the historic integrity. A porte cocere has been added to the home to provide cover from the elements when accessing the home. The current design forced the family to walk through rooms to get to rooms and there were no hallways. Several changes were made to the kitchen area to provide a mudroom and hallways. Ms. Zuckerman reviewed the various floor plans noting the changes proposed along with square footage proposed.

Mr. Wrede suggested the rear yard setback for the principal dwelling be cured by moving the porte cocere closer to the main building. Ms. Zuckerman advised she will take a look at modifying that.

Board Members indicated concern with lot coverage. The applicant agreed to look at the plan to pair it down if possible in regard to lot coverage.

Mr. Brodsky asked if the Board had any strong feelings regarding the pergola structure. A photo of a portion of the pergola was marked as Exhibit A-16.

Mr. Kalwinsky advised this application will be carried to the June 24, 2019 meeting with no further notice required. Mr. Brodsky consented to an extension of time in which the Board has to act.

ADJOURNMENT

MR. HINCKLEY OFFERED A MOTION TO ADJOURN THE MEETING AT 8:28 PM, SECONDED BY MR. WREDE. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte, Board Secretary
Zoning Board of Adjustment