

# 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  
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## ZONING BOARD MEETING MINUTES JULY 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 July 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, Ms. Bouw, Mr. Hinckley, Ms. Sonatore, Mr. Zaccardo, Mr. Truscott, Mr. Bane, Ms. Sheridan

Also present: Gregory Vella, Esq., Board Attorney (*via teleconference*); Amy Sarrinikolaou, Board Planner; Thomas Incorvaia, Assistant Planner; and Erin Uriarte, Board Secretary

Absent: Mr. Buncati

A salute to the flag followed.

Chairman Hinckley opened the meeting to the public for questions or comments for non-agenda items, however none were received.

### RESOLUTIONS

#2019-005, Chiaino, Resolution Denying Variance Application – MR. TRUSCOTT OFFERED A MOTION TO APPROVE THE RESOLUTION SECONDED BY MR. HINCKLEY.

Roll Call:

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

Nays: None

#2019-008, Ranno, Resolution Dismissing Without Prejudice – MS. BOUW OFFERED A MOTION TO APPROVE THE RESOLUTION, SECONDED BY MR. TRUSCOTT.

Roll Call:

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

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

Resolution regarding the Ordinance Interpretation of Section 540-203k – MR. HICKLEY OFFERED A MOTION TO APPROVE THE RESOLUTION, SECONDED BY MR. WREDE.

Roll Call:

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

Nays: None

#### APPROVAL OF MINUTES

MR. WREDE OFFERED TO APPROVE THE MINUTES OF JANUARY 28, 2019, FEBRUARY 25, 2019, MARCH 25, 2019 AND JUNE 24, 2019, SECONDED BY MR. HINCKLEY. ALL PRESENT, ELIGIBLE MEMBERS VOTED IN FAVOR BY VOICE VOTE.

#### 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 JULY 22, 2019, SECONDED BY MS. SONATORE. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

#### NEW BUSINESS

#2019-009, Adnaga, LLC, Block 779.02, Lot 43, 19 Park Way, Application for Use Variance Approval to Permit an Accessory Structure without a Principal Structure – Mr. Vella advised the notices are in order and the Board has jurisdiction to hear this matter. The Planning Review letter dated July 15, 2019 was marked as Exhibit ZB-1. The applicant's alteration plan was marked as Exhibit A-1.

Mr. Vella explained that a garage is permitted in this zone but not without a primary structure. He also explained the intent of the ordinance and noted that this is a unique situation because the primary structure burned down.

Michael Lipari, Esq appeared on behalf of the applicant. The applicant is seeking a variance to rehabilitate a historic garage to which the principal structure had burned down in the 1970's. All existing non-conformities will remain and will stay within the existing building envelope. No new construction is proposed as this time however they will record any Resolution of Approval to ensure the garage will not be used as living space in the future. A discussion regarding a Deed Restriction was held and Mr. Lipari opined that the 400 square feet of space would not be a comfortable living space. Mrs. Sarrinikolaou explained that no standalone structure can have living space in this zone.

Leslie Krause was sworn in as the applicant and principal owner of Adnaga LLC. Mr. Krause noted that Adnaga, is an acronym for his three grandchildren names. He explained that he has lived in the Monmouth Hills section since March 2016. His house sits lower on the slope so he purchased his property to ensure no one would build next to him. He had previously used the 100 year old garage for storage however it was in total disrepair. No home is proposed on the property as it is a steep slope and he would like to preserve his view. Mr. Krause explained the unique character of the community, noting that the homes and roads still remain from the 1895 resort community it used to be. The renovation of the garage fits well within the character of the neighborhood.

Board members expressed concern with the conflicting addresses on some of the application paperwork. Mr. Krause clarified that the address exists several ways on different legal

documents, which is why he began the work on the garage before the town realized it was a fully separate lot from his home.

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

Mr. Vella clarified that any motion of approval would include the condition to have the Resolution be recorded as a Deed Restriction.

Ms. Bouw stated that granting this approval would not change anything in the existing neighborhood, other than to permit renovation of this historic structure.

MS. BOUW OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. ZACCARDO.

Roll Call:

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

Nays: None

ADJOURNMENT

MR. HINCKLEY OFFERED A MOTION TO ADJOURN THE MEETING AT 7:33 PM, SECONDED BY MR. WREDE. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte, Board Secretary  
Zoning Board of Adjustment