

# TOWNSHIP OF MIDDLETOWN

Planning Board  
One Kings Highway  
Middletown, NJ 07748-2504

DAVID MERCES  
Chairman



Organized December 14, 1667  
"Pride in Middletown"

AMY H. CITRANO, P.P., A.I.C.P.  
Director of Planning

ERIN URIARTE  
Planning Board Secretary

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

## PLANNING BOARD MEETING MINUTES AUGUST 3, 2022

A Regular Meeting of the Planning Board of the Township of Middletown was held in the main meeting room at Town Hall, One Kings Highway, Middletown, New Jersey, at 6:30 P.M. on August 3, 2022.

Chairman Merces read a statement to advise the notice requirements provided for the Open Public Meetings Act have been satisfied. Pursuant to the Open Public Meetings Act and Laws of 1975, the public has been notified that the Planning Board will meet on August 3, 2022, in Town Hall.

The Middletown Planning Board notified the Two River Times, the Independent and the Asbury Park Press on February 3, 2022. Notice of the meeting was filed with the Township Clerk and posted in Town Hall. 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: Chairman Merces, Vice-Chairman Rathjen, Mr. Settembrino, Mr. Rentschler, Mr. Colangelo, Mr. Schweizer, Mr. AmecAngelo, Ms. Eteson, Mr. Banasiak

Also present: James Gorman, Board Attorney; Robert Keady, PE, Board Engineer; Amy H. Citrano, Director of Planning; Morgan Astorino, Assistant Planner; Erin Uriarte, Board Secretary

A salute to the flag followed.

The Board Secretary read the agenda.

### **APPROVAL OF MINUTES**

MR. RATHJEN OFFERED A MOTION TO APPROVE THE MINUTES OF JULY 6, 2022, SECONDED BY MR. SCHWEIZER.

Roll Call:

Ayes: Merces, Rathjen, Settembrino, Rentschler, Schweizer, AmecAngelo, Banasiak

Nays: None

### **RESOLUTIONS**

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

### **ADMINISTRATIVE MATTERS**

**Payment of Vouchers** – Mr. Rathjen advised that he has reviewed the Payment of Vouchers and offered a motion to approve the Payment of Vouchers for August 3, 2022. This motion was seconded by Mr. Schweizer. All present members voted in favor by voice vote.

### **OLD BUSINESS**

**#2022-200, Target, 2105 Route 35, Block 596, Lot 1.01, Seeking Amended Major Site Plan Approval with Variances** – Mr. Gorman advised the notices are in order and the Board has jurisdiction to hear this matter. He noted this is a continuation of a hearing that began on July 6, 2022.

Chairman Merces advised the plans were submitted too late to allow for the Board professionals to issue reports. He added that the proposed work that was discussed at the previous hearing has already been done. The Board will not be moving forward without reports from the Planner and Engineer.

The applicant's attorney indicated they have a Target representative here from Minnesota that they would like to have testify on the record.

Aaron Hemquist, P.E., Senior Development Manager for Target, was sworn in. He apologized that the work has already been done and indicated the store operator took it upon themselves to restripe the entire parking lot.

Committeeman Settembrino clarified that the work has been done without approvals. Mr. Hemquist confirmed.

Mr. Rathjen indicated he had visited the site two times and didn't see any of the drive-up spaces being utilized.

Chairman Merces opened the hearing to members of the public for questions of Mr. Hemquist, however none appeared.

Mr. Gorman announced this application is being carried to September 7, 2022 at 6:30 pm at Town Hall, 1 Kings Highway, Middletown, with no further notice required.

### **NEW BUSINESS**

**#2022-101, 9 Dakota LLC, 9 Dakota Avenue, Block 176, Lot 1, Seeking Minor Subdivision Approval** – Mr. Gorman advised the notices are in order and the Board has jurisdiction to hear this matter.

Kevin Asadi, Esq. appeared on behalf of the applicant. Mr. Asadi advised his client is seeking subdivision approval for an L-shaped property located at the corner of Thompson Avenue and Dakota Avenue.

Matthew Cronin, AIA was sworn in and accepted as an expert Architect. Mr. Cronin confirmed this is an L-shaped lot with a partially demolished home on the southern end of the property. The property is located in the AE-11 flood zone and will be subdivided to essentially separate the two sections of the L-shape. The lot line was designed at an angle to allow for two lesser variances. Discussion was held regarding alternative designs however, Mr. Cronin advised the

intent is to keep the driveway as far away from the corner as possible, while maintaining the five-foot setback. Architectural Elevation Plans for Lot 1.01 were marked as Exhibit A-1. Architectural Elevation Plans for Lot 1.02 were marked as Exhibit A-2. Mr. Cronin explained each floor plan and noted that home materials will be consistent with what is in the neighborhood. Both homes will meet setbacks, coverage and height requirements. The applicant is seeking a waiver from installing sidewalks and will make a contribution to the sidewalk fund, as required. The applicant will comply with the street tree requirement and will execute a site triangle easement, as required. All existing chain-link fences will be removed.

Edward O'Neill was sworn in and accepted as an expert Planner. Mr. O'Neill explained the research done as part of his review of the application. A seven-sheet handout was marked as Exhibit A-3. He noted that the subject property appears to be a vacant lot as you drive down Thompson Avenue. The existing home was severely damaged in a fire and has an existing setback violation. There is also an accessory structure on the property that was not damaged and has less than one foot of a setback. That structure will be removed so they will be bringing the lot into conformance as far as the existing structures are concerned. The construction of two new conforming homes will create a pattern of uniformity in the neighborhood and on the Thompson Avenue streetscape. Exhibit A-3 shows several other undersized lots throughout the neighborhood so this proposal would meet the character of the neighborhood. The exhibit also shows other undersized corner lots as well as seven lots with a 1-car garage and 10 lots with no garage. The variance relief requested can be granted under the C1 criteria of the MLUL and also as C2 variance as the positive outweighs the negative.

Mr. Keady asked for clarification on the driveway location. Mr. Cronin advised the driveway will be shifted to maintain appropriate setbacks.

Chairman Merces opened the hearing for members of the public who wish to ask questions. Seeing none, he opened the hearing for public comment.

Ben Cavallaro, 74 Kentucky Avenue, was sworn in and offered several comments indicating he is not in favor of the application.

Daniella Cavallaro, 74 Kentucky Avenue, was sworn in and offered several comments indicating he is not in favor of the application.

Board members asked several questions clarifying the proposal.

Mr. Asadi summarized the application and testimony given.

MR. SCHWEIZER OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. RENTSHCLER.

Roll Call:

Ayes: Merces, Rathjen, Rentschler, Schweizer, Eteson

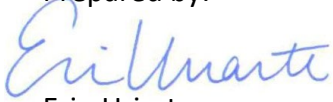
Nays: Colangelo, AmecAngelo, Banasiak

Mr. Gorman advised the motion passes and the Resolution will be memorialized at the next meeting.

**ADJOURNMENT**

MR. SCHWEIZER OFFERED A MOTION TO ADJOURN THE MEETING AT 7:50 PM, SECONDED BY MR. RATHJEN. ALL PRESENT MEMBERS VOTED IN FAVOR BY VOICE VOTE.

Prepared by:



Erin Uriarte,  
Board Secretary