

1st: Grossman  
 2nd: Salomena  
 approved: 8/4/16

## Minutes of July 21, 2016

The Regular Meeting of the Hazlet Township **Land Use Board** scheduled for July 21, 2016 was called to order at 7:30 PM with a Salute to the Flag followed by a Moment of Silent Prayer and a Reading of the Letter of Compliance.

**ROLL CALL:**

**Present:** Mr. Tyler, Mr. Sanfilippo, Mr. Grossman, Mr. Rooke, Mr. Lavan, Mr. Mann

**Absent:** Mayor Aagre, Deputy Mayor Kiley, Mr. Byrne, Mr. Moore, Mr. Vignola, Mr. Glackin, Mr. Solomeno

**Professionals:** Mr. Vella, Esq., Mr. Otto- CME, Mrs. Keegan

**Motion:** To approve the minutes of regular meeting July 7, 2016

**Offered By:** Grossman                      **Seconded By:** Tyler

<b><u>ROLL CALL</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>AB</u></b>
Mr. Byrne	_____	_____	_____
Mr. Glackin	_____	_____	_____
Mr. Lavan	_____	_____	X
Mr. Tyler	X	_____	_____
Mr. Solomeno	_____	_____	_____
Mr. Vignola	_____	_____	_____
Mr. Rooke	X	_____	_____
Deputy Mayor Kiley	_____	_____	_____
Mayor Aagre	_____	_____	_____
Alt #1 Mr. Mann	_____	_____	X
Alt #2 Mr. Moore	_____	_____	_____
Alt #3 Mr. Grossman	X	_____	_____
Alt #4 Mr. Sanfilippo	X	_____	_____

**Memorial Resolution Case #13-08:** Elegant Properties LLC, Block 66, Lot 1.02. Board granted a one year extension to July 10, 2017 for site plan approval of 44 townhomes.

**Mr. Vella:** Explained that the resolution came out last week and that if there were no objections or questions about it, it will be voted on.

**Mr. Tyler:** Asked for a brief explanation of the circumstances surrounding the extension request.

**Mr. Vella:** Explained that the applicant has to reapply for all of their DEP permits that have expired and they have not received some municipal approvals yet therefore, they have not started construction and need the extension. The subdivision is filed but the extension grants them protection from zoning changes. The permit extension act that was passed entitles them to three one year extensions.

**Mr. Lavan:** Pointed out that this has been a ten year process with little progress.

**Offered By:** Lavan **Seconded By:** Tyler

<b><u>ROLL CALL</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>AB</u></b>
Mr. Byrne	_____	_____	_____
Mr. Glackin	_____	_____	_____
Mr. Lavan	<u>X</u>	_____	_____
Mr. Tyler	<u>X</u>	_____	_____
Mr. Solomeno	_____	_____	_____
Mr. Vignola	_____	_____	_____
Mr. Rooke	<u>X</u>	_____	_____
Deputy Mayor Kiley	_____	_____	_____
Mayor Aagre	_____	_____	_____
Alt #1 Mr.Mann	<u>X</u>	_____	_____
Alt #2 Mr. Moore	_____	_____	_____
Alt #3 Mr. Grossman	<u>X</u>	_____	_____
Alt #4 Mr. Sanfilippo	_____	_____	<u>X</u>

**Memorial Resolution Case #16-05L:** Smith, 19 Essex Avenue, Block 150, Lot 6.01, R-50 zone. Applicant granted variance relief to retain a barbecue, shed and paver patio.

**Mr. Vella:** Stated that the resolution came out last week and we have added that the applicant is going remove the gas pipe running from the barbecue to the stove and will add the word "shed" into the resolution where it says "8 ft. by 10 ft."

**Offered By:** Rooke **Seconded By:** Grossman

<b><u>ROLL CALL</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>AB</u></b>
Mr. Byrne	_____	_____	_____
Mr. Glackin	_____	_____	_____

Mr. Lavan	<u>    X    </u>	_____	_____
Mr. Tyler	<u>    X    </u>	_____	_____
Mr. Solomeno	_____	_____	_____
Mr. Vignola	_____	_____	_____
Mr. Rooke	<u>    X    </u>	_____	_____
Deputy Mayor Kiley	_____	_____	_____
Mayor Aagre	_____	_____	_____
Alt #1 Mr.Mann	<u>    X    </u>	_____	_____
Alt #2 Mr. Moore	_____	_____	_____
Alt #3 Mr. Grossman	<u>    X    </u>	_____	_____
Alt #4 Mr. Sanfilippo	<u>    X    </u>	_____	_____

**New Case # 16-03L:** Stewart, 440 Middle Rd. Proposed Minor Subdivision-Block 194.04, Lot 25 and part of Lot 26, R-100 zone. Applicant is seeking minor subdivision approval to divide property into two lots (25.01 & 25.02). Proposed Lot 25.01 to be 22,275 sq. ft. and Proposed Lot 25.02 to be 21,143 sq. ft.

**Mr. Vella:** Stated the noticing was in order and the board has jurisdiction.

**Mr. Kennedy:** Introduced himself as attorney for the applicant. Explained the circumstances surrounding the property and that most of it is located in Hazlet Township with a small portion of the property located in Holmdel Township. They are only asking to subdivide the Hazlet portion. The property is oversized containing a single family home, pool and shed. There are no variances needed. He introduced Mr. Richard Stockton, surveyor and planner.

**Mr. Vella:** Marked exhibit A-1 as application, A-2 as subdivision plan prepared by Richard Stockton dated 8/22/14 and LUB-1 as CME report dated 5/18/16. Explained that as a minor subdivision with no variances or waivers requested, it is an as of right application and the board is obligated to approve it with appropriate conditions.

**Attorney Vella swearing in Mr. Richard Stockton, surveyor and planner.**

**Mr. Stockton:** Stated he is a licensed surveyor in New Jersey since 1967 and licensed planner since 1980.

**Mr. Kennedy:** Asked Mr. Stockton about the size of the Hazlet portion of the property.

**Mr. Stockton:** Indicated the property was 43,418 square feet and that the requirement for the R-100 zone was 12,500 square feet. Proposed lot 25.01 would be 22,275 sq. ft. which will be the continued use for the existing house, pool, shed and driveway. The driveway access is on the west side of the house with parking for 4 cars. Proposed Lot 25.02 would be 21,143 sq. ft. which will be for the future construction of

a single family dwelling. The driveway will front on Seminole Drive with an existing apron and curb cut and will accommodate at least two cars. There are also existing water and sewer utilities on the lot.

**Mr. Kennedy:** Requested Mr. Stockton go through CME's letter and address the conditions raised.

**Mr. Stockton:** Stated that if the application was approved, they would perfect the subdivision by deed. Also spoke about Seminole Drive which is already improved as it was created to serve the Holmdel subdivision on that street. There is not enough room to provide a sidewalk on Middle Road so they will apply to the county to see if it is required.

**Mr. Otto:** Noted that there is a sidewalk on the opposite side of Middle Road. The applicant will be required to apply to the county and it will be up to them to decide if improvements are required.

**Mr. Stockton:** Stated that he will modify plans to show proper setbacks and the applicant will obtain all outside approvals necessary. He stated that the applicant had planted a number of trees recently south of the sight triangle easement. He confirmed that there are no variances requested with this application.

**Mr. Kennedy submitted photos from Mrs. Stewart of the property.**

**Mr. Vella marked 4 photos as Exhibit A-3-pictures of existing home lot.**

**Mr. Stockton:** Explained the locations of the photos showing the trees being planted and the intersection of Seminole Drive and Middle Road.

**Chairman Tyler opened citizen's hearing on this matter.**

**Mr. Vella swearing in Madhu Mutukula, 8 Seminole Drive, Holmdel.**

**Mr. Mutukula:** Questioned how many trees will be removed as he is concerned about privacy. He is the first house next to the proposed lot. Also, questioned the percentage of lot coverage and whether it needed the variance.

**Mr. Vella:** Explained that the request for a variance was a mistake. The existing lot does not exceed the lot coverage therefore no variance is required. The plan for the new lot has not been designed yet. Asked Mrs. Keegan to explain the tree ordinance.

**Mrs. Keegan:** Explained there is no required buffer zone between residences so the lot could be cleared to the property line. A permit must be obtained to remove any more than five trees.

**Mr. Vella swearing in Peter Salvadore, 38 Hawthorne Ave., Holmdel.**

**Mr. Salvadore:** Asked the size of the part of the property that is located in Holmdel.

**Mr. Stockton:** Answered that it is 802 square feet.

**Mr. Salvadore:** Questioned whether that part of the property was affected at all and if there were any plans to do anything with it.

**Mr. Kennedy:** Responded that there are no plans to do anything with it.

**Mr. Vella swearing in Wing Yip, 6 Wagner Court, Holmdel.**

**Mr. Yip:** Explained that he backs up to the development on Seminole. Asked whether the owner's promise not to develop the Holmdel property could be put in writing.

**Mr. Vella:** Responded that our board has no jurisdiction over the property in Holmdel. The applicant would have to meet Holmdel's requirements.

**Mr. Yip:** Expressed his concern about taking down a lot of trees.

**Mr. Tyler:** Pointed out the setbacks on the site plan. A variance would be required to put any kind of structure on the Holmdel portion of the property. The trees could be removed subject to Holmdel's requirements.

**Mr. Vella swearing in John Moskal, 8 Wagner Court, Holmdel.**

**Mr. Moskal:** Concerned about the wildlife that lives behind his house if they cut the trees down. His house is elevated so he can see into the second story of the homes on Seminole.

**Mr. Vella:** Explained that the Seminole development has nothing to do with this applicant. Our board has no control over that and he should speak to Holmdel authorities.

**Mr. Tyler closed the public hearing on this application.**

**Mr. Vella:** Explained that this subdivision application requests no variances and no waivers. Under the law, the applicant is entitled to approval if they comply with all the rules. He recommends board approval subject to the conditions set by the board and the applicant obtaining all outside approvals.

**Mr. Tyler:** Questioned continuing the sidewalk on Middle Road in front of existing home.

**Mrs. Keegan**: Recommended requiring the sidewalk to be continued from where it ends on Middle Road to connect with sidewalks on Seminole.

**Mr. Kennedy**: Clarified that the sidewalk requirement would be subject to county approval and would advise them this is the preference of the board.

**Mr. Tyler**: Summarized that a tree removal permit would have to be obtained prior to any trees being removed when new house is being built. This would apply only to the trees on the Hazlet portion of the property.

**Mr. Vella**: Confirmed that we do not have control over anything in Holmdel.

**Offered By:**     Mann     **Seconded By:**     Tyler    

<b><u>ROLL CALL</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>AB</u></b>
Mr. Byrne	_____	_____	_____
Mr. Glackin	_____	_____	_____
Mr. Lavan	_____	_____	_____
Mr. Tyler	X	_____	_____
Mr. Solomeno	_____	_____	_____
Mr. Vignola	_____	_____	_____
Mr. Rooke	X	_____	_____
Deputy Mayor Kiley	_____	_____	_____
Mayor Aagre	_____	_____	_____
Alt #1 Mr.Mann	X	_____	_____
Alt #2 Mr. Moore	_____	_____	_____
Alt #3 Mr. Grossman	X	_____	_____
Alt #4 Mr. Sanfilippo	X	_____	_____

**Offered By:**     Mann     **Seconded By:**     Tyler    

**No one spoke.**

**Motion to Adjourn:**

**Offered By:**     Mann     **Seconded By:**     Tyler    

**VOICE VOTE:**     Yes    

**Next Meeting: August 4, 2016**  
**Respectfully submitted: Laura McPeek**