



Mr. Anastasios Diacogiannis – Alt. 2	95 Broadway	Mr. Alex LaSalle
Mr. Mark Engel, Alt. 1	West Long Branch, NJ 07764	Mr. Jerry Moczerniuk
Mr. Paul Giglio	Jennifer O’Sullivan, Board Secretary	Mr. Michael Schulz
Ms. Pamela Hughes	josullivan@westlongbranch.org	Chairman Paul Santorelli, Jr
Ms. Jane Hurd	(732) 229-1756 Ext. 111	

ZONING BOARD MINUTES

May 18, 2023

Regular Meeting 7:00 P.M.

(Council Chambers)

Chairman Santorelli called to order *the Meeting* of the Borough of West Long Branch Zoning Board according to the Sunshine Law.

This is the **May 18, 2023** regular meeting of the West Long Branch Zoning Board in which Mr. Santorelli read the following statement.

This meeting is called pursuant to the provisions of the Open Public Meetings Act.

This meeting was listed in the Notice of the annual schedule of the regular meetings of this board sent to both the Asbury Park Press and the Star Ledgers.

Said Notice was also posted on the bulletin board in Borough Hall and has remained continuously posted there as required of such notices under the statute.

In addition, a copy of said Notice is and has been available to the public and is on file in the Office of the Borough Clerk.

A copy of said Notice has also been sent to such members of the public as have requested such information in accordance with the Statute. Proper notice having been given; the Board Secretary is directed to include this statement in the minutes of this meeting.

Members:

Mr. Anastasios Diacogiannis	Present	Mr. Alex LaSalle	Present
Alt. 1 Mr. Mark Engel	Present	Chairman Paul Santorelli, Jr.	Present
Mr. Paul Giglio	Present	Mr. Michael Schulz	Present
Ms. Pamela Hughes (Vice-Chair)	Present	Mr. Jerry Moczerniuk Alt 2	Present
Ms. Jane Hurd	Present		

Board Professionals:

Michele Irene, Esq. Board Attorney	Present	Jennifer O’Sullivan Board Secretary	Present
Libby Waterbury, P.E., P.P., CME	Present		
Lisa Norman, CSR	Present		

Carried Applications

ZB 2023-01– James LoBello Block(s): 90 Lot(s): 15 Zone:r-10 Address: 19 Walnut Place

Application Type: Bulk Variance

The Applicant is seeking to demolish the existing 270 Ft deck in the rear yard and construct a second-story addition and associated improvements.

The application was carried due to a noticing issue. The new hearing date is 6/22/23.

ZB 2023-03 – 56 Elmwood, LLC Block(s):37 Lot(s): 11 Zone: R-22 Address: 56 Elmwood Avenue

Application Type: Bulk Variance

The applicant is seeking to erect a pool and security fence.

The application was carried due to a noticing issue. The new hearing date is 6/22/23.

ZB 2022-07- Marc Edelstein Block(s): 60 Lot(s): 58 Zone: R-22

Address: 399 Monmouth Rd - Application Type: Bulk Variance

The applicant is seeking to legalize an existing treehouse location.

The application was carried due to a noticing issue. The new hearing date is 6/22/23.

New Applications

ZB 2023-02 – 96 Beechwood Block(s): 35 Lot(s): 6 Zone: R-22 Address: 96 Beechwood Avenue

Application Type: Bulk Variance

The applicant is seeking to renovate and modify the existing residence to add four bedrooms and three full bathrooms.

For the Applicant

- Jeffrey A. Donner, Esq.
- Alan J. Zimble, RA, the applicant's Architect
- Robert Burdick, PE & PP, the applicant's Professional Engineer and Professional Planner,
- Mr. Jacob Cohen, the principal in the applicant 96 Beechwood Ave LLC,

From the Public

- Several interested parties also appeared and asked questions and/or offered comments regarding this matter;
- Mr. Richard Schöffel, residing at 511 Cedar Avenue
- Mr. Nestor Markovitz, residing at 90 Beechwood Avenue
- Mr. Preston Hansen, residing at 126 Beechwood Avenue
- Mr. Michael Pagones, residing at 117 Larchwood Avenue
- Mr. Gene Schecher, residing at 98 Beechwood Avenue

Summary

- The property contains an existing residential house. The applicant proposes to construct a second-story addition to the existing residence. Bulk Variances are required for the site improvements. The property is located on and has access from Beechwood Avenue. The property is located within the R-22 Zone.
- The applicant's failure to satisfy the positive criteria mandates denial of the application. The Board nevertheless finds that the applicant also failed to satisfy the negative criteria required for bulk (C) variance relief. The Board finds that the relief at issue cannot be granted without causing substantial detriment to the public good and without causing substantial impairment of the intent and purpose of the zone plan and zoning ordinance. The dwelling exists with deficient individual side yard setbacks and deficient total combined side yard setbacks; the scope of the deviations are substantial. The existing eastern side yard setback is only 60% of the requirement (12 feet existing; 20 feet required). The applicant proposes to exacerbate this deviation vertically

by essentially “doubling” the mass of the structure that encroaches into this side yard area via the proposed second-floor extension. This will adversely affect the adjacent property to the east, negatively impacting all these circumstances, the Board finds that granting the relief at issue will result in substantial detriment to the public good.

Decision

- Motion: Anastasios Diacogiannis
- Second: Paul Giglio
- Roll Call:

Mr. Anastasios Diacogiannis	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	Recused	Mr. Michael Schulz	Yea
Mr. Paul Giglio	Yea	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	Yea		

- Application denied.

ZB 2022-14- Sami Abadi Block(s): 46 Lot(s): 1 Zone: R-15 Address: 28 Ridge Road.

Application Type: Bulk Variance. The applicant is seeking to install a 5’PVC fence in the yard to go from the property line before the retaining wall.

For the Applicant

- The applicant, Mr. Sami Abadi, and his spouse, Ms. Shirley Malach

From the Public

- No objectors or interested parties appeared with regard to this matter.

Summary

- The property contains an existing single-family dwelling. The applicant is seeking to install a five (5) foot PVC fence around the yard. The property is a corner lot on Ridge Road and West Palmer Ave.
- The Board finds that the applicant has demonstrated “hardship” (C(1) criteria)sufficient to support granting the relief here at issue. Hardship is rooted in the existing conditions at the site. The property is a corner lot with two front yard areas. The ordinance requires a fence no less than 4 feet high to secure the pool. The applicant proposes to enclose the rear yard area with a 5-foot-high fence. Because the applicant is working around the existing retaining wall with regard to the layout of the fence, part of the fence will project into the front yard area where fence height is otherwise limited to 3 feet. The Board finds that a 3-foot-high fence will be insufficient to adequately secure the rear yard area containing the pool.

Decision

- Motion: Pamela Hughes
- Second: Paul Giglio
- Roll Call:

Mr. Anastasios Diacogiannis – Alt. 2	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	N/A	Mr. Michael Schulz	Yea
Mr. Paul Giglio	Yea	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	Yea		

- Application approved with conditions.

Resolutions-

No resolution to be adopted.

Other Business

Christopher Borriello. ZB 2021-15 Block 28, Lot: 70, Amending/Correcting Prior Resolution Granting Approval of Bulk ("C") Variance Relief to Correct Omission of Fence Height Variance And Granting Extension of Time Pertaining to The Variance Relief at Issue

- **Eligible to Vote Roll Call**

Mr. Anastasios Diacogiannis – Alt. 2	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	Yea	Mr. Michael Schulz	Yea
Mr. Paul Giglio	N/A	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	Yea		

Decision

- Motion: Choose an item
- Second: Choose an item
- All in favor. None Opposed.
- Resolution amending/correcting prior resolution was adopted as written.

Monmouth University ZB 2019-12 Block(s):13 Lot(s):1-5,7-9 11. 12 & 12.01 Amending Prior Resolution Granting Approval of Preliminary and Final Site Plan, Minor Subdivision, Use, And Bulk Variance, And Design and Submission of Waiver Relief, To Eliminate Conditions of Approval Pertaining To Minor Subdivision.

Decision

- Motion: Choose an item
- Second: Choose an item
- Roll Call:

Mr. Anastasios Diacogiannis – Alt. 2	Choose an item.	Mr. Alex LaSalle	N/A
Mr. Mark Engel, Alt. 1	Yea	Mr. Michael Schulz	Yea
Mr. Paul Giglio	N/A	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	Yea		

- Resolution amending prior resolution was adopted as written

Minutes

3/23/2023

Decision

- Motion: Mark Engel Alt#1
- Second: Michael Schulz
- Eligible to vote

Mr. Anastasios Diacogiannis – Alt. 2	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	Yea	Mr. Michael Schulz	Yea
Mr. Paul Giglio	N/A	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	N/A	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	N/A		

- Minutes adopted as written

4/20/2023

Decision

- Motion: Jane Hurd
- Second: Pamela Hughes
- Eligible to vote

Mr. Anastasios Diacogiannis – Alt. 2	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	Yea	Mr. Michael Schulz	Yea
Mr. Paul Giglio	Yea	Chairman Paul Santorelli, Jr	N/A
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	N/A
Ms. Jane Hurd	Yea		

- Minutes adopted as written

Adjournment

Decision

- Motion: Jane Hurd
- Second: Pamela Hughes
- All in favor. None Opposed
- Roll Call:

Mr. Anastasios Diacogiannis – Alt. 2	Yea	Mr. Alex LaSalle	Yea
Mr. Mark Engel, Alt. 1	Yea	Mr. Michael Schulz	Yea
Mr. Paul Giglio	Yea	Chairman Paul Santorelli, Jr	Yea
Ms. Pamela Hughes	Yea	Mr. Jerry Moczerniuk Alt 2	Yea
Ms. Jane Hurd	Yea		