

Chairman Sayah called the meeting to order and the Administrative Officer read the opening statement. The meeting was held remotely via Zoom due to COVID-19.

ROLL CALL: The roll call showed the following members present: Chairman Paul Sayah, Glenn Cantor, Nicholas Borrillo, Matthew Hughes, Jose Orozco, Michael Ryan, and Michael Wrubel. William Stahnten was excused. Richard Mertens came in late at 7:15 p.m.

Also in attendance were Andrew Bayer, Board Attorney, Charles Cunliffe, Board Engineer, Jennifer Beahm, Board Planner, Shari Spero, Licensed Tree Expert, John Aguiar, Code Enforcement Officer and Eileen Cusa Zoning Board Secretary.

PLEDGE OF ALLEGIANCE:

SWEARING IN OF ZONING BOARD PROFESSIONALS: Mr. Cunliffe, Ms. Beahm, Ms. Spero, and Mr. Aguiar were sworn in.

APPROVAL OF MINUTES: Mr. Hughes made a motion to approve the minutes from the November 14, 2022 meeting. Motion was seconded by Mr. Cantor and carried with Messrs. Cantor, Hughes, and Wrubel.

Mr. Cantor made a motion to approve the minutes from the November 28, 2022 meeting. Motion was seconded by Mr. Hughes and carried with Messrs. Cantor, Hughes, and Sayah.

Mr. Hughes made a motion to approve the minutes from the December 12, 2022 meeting. Motion was seconded by Mr. Orozco and carried with Messrs. Cantor, Hughes, Orozco and Wrubel.

Mr. Hughes made a motion to approve the minutes from the December 19, 2022 meeting. Motion was seconded by Mr. Orozco and carried with Messrs. Cantor, Hughes, Orozco and Sayah.

Mr. Orozco made a motion to approve the minutes from the January 9, 2023 meeting. Motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Orozco, Ryan, Wrubel and Sayah.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: Case no. BA08-24A Rod Zarelli has requested to be carried to March 13, 2023 with no further notice, an extension was given to the Board through April 30, 2023.

RESOLUTIONS:

a. Zoning Board Attorney, Zoning Board Engineer, Zoning Board Planner Zoning Board Licensed Tree Expert

Mr. Orozco made a motion to memorialize the resolutions appointing Andrew Bayer, Esq. from the firm Pashman, Stein as the Board Attorney for 2023, Charles Cunliffe, P.E. from T&M Associates as the Board Engineer for 2023, Jennifer Beahm P.P. from Leon S. Avakian, Inc. as the Board Planner for 2023 and Shari Spero, L.T.E. from CME Associates as the Board Licensed Tree Expert for 2023. Motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Orozco and Sayah voting for the motion.

e. Case No. BA19-17F/ 6520 LLC

Mr. Hughes made a motion to memorialize the resolution granting Final Major Site Plan approval. Motion was seconded by Mr. Cantor and carried with Messrs. Cantor, Hughes, Orozco and Wrubel voting for the motion.

f. Case No. BA22-02SP/ K-Land Corp

Mr. Orozco made a motion to memorialize the resolution granting Preliminary & Final Major Site Plan. Motion was seconded by Mr. Hughes and carried with Messrs. Cantor, Hughes, Orozco and Wrubel voting for the motion.

g. Case No. BA22-19/ Christopher Marino

Mr. Cantor made a motion to memorialize the resolution granting Bulk Variance approval. Motion was seconded by Mr. Hughes and carried with Messrs. Cantor, Hughes, Orozco and Sayah voting for the motion.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA22-16/ Paul Vallejo

Justin Auciello, Planner was duly sworn in, gave his credentials to the Board and was accepted as an expert. Paul Vallejo, property owner appeared before the Board and was sworn in. Mr. Auciello spoke about the additional submission to the board which included a topography survey with spot elevations and drainage. Mr. Auciello spoke in depth about the spot elevations, Mr. Cunliffe questioned the height difference between the neighboring properties as all runoff will be drained to neighboring property. Ms. Beahm requested the fence be moved back onto the applicant's property as the fence is currently located on the neighbor's property. Mr. Vallejo submitted a copy of the neighbor's survey from 127 Locust Avenue as an exhibit for the board to show that his survey does not show 37 Jennifer's Drive fence on his property. Ms. Beahm suggested to the Board to have Mr. Vallejo cut back some of the pavement to allow runoff to the Vallejo's grass and not the neighbors. The meeting was opened to the public for comments, Mr. Blackmore was entered into the meeting from 127 Locust Avenue to testify that Mr. Vallejo's fence is not shown on his property survey and he has no issues with the applicant or applications. Mr. Bayer suggested possibly an agreement be made between 37 Jennifer Drive and 127 Locust Avenue to be filed with Monmouth County as the surveys performed deemed faulty. Mr. Auciello requests this application to be carried to April 10, 2023 with an extension granted to the Board to April 30, 2023.

b. Case No. BA19-11SP/Kay10 Holdings, LLC

Salvatore Alfieri, appeared as Attorney for the applicant with Mr. Maltese P.E. to discuss the application for Kay10, Holdings, LLC. Mr. Alfieri spoke in depth about the bifurcated application with the split zones being ARE-6 and SED, he reported all proposed buildings will be located in the SED zone as the use is permitted in the SED zone. Mr. Maltese spoke about stormwater management for the property, creating four detention basins instead of two for better drainage. The applicant agreed to put sensor or timed lighting in the rear part of the property with shielding. The applicant also agreed to Title 39. Sanitary sewer approvals will be obtained before the building process starts, the applicant will be hooking up to public sewer. The applicant requested waivers for sidewalks as the neighboring properties lack sidewalks as well. Mr. Maltese reported the owner will occupy one unit of 9 of the proposed building, only 9 units can be created from this proposal. A question was raised at the Use Variance hearing in which the neighbor across the street requested

the driveway to be moved to a new location, the driveway has now been moved to accommodate. Mr. Aguiar asked reported some complaints about tractor trailer parking on the side of Oak Glen Road, he doesn't want to see a parking lot on Oak Glen Road. Mr. Alfieri let the Board know the condition from the Sue Variance application prohibits truck from any overnight parking. David Delle Donne Architect for the Applicant spoke in depth about the proposed illuminated signage as well as the proposed architecture of the buildings. The meeting was opened up for public comment Ms. Dovenero, 58 Victory Road entered the meeting and questioned the zoning as well as the conditions from the Use Variance application. Ms. Betty V from 97 Victory Road entered the meeting to question the zoning as well. The meeting was closed to public.

Mr. Cantor made a motion to approve the application, seconded by Mr. Hughes. Motion was carried by Mssrs. Borrillo, Cantor, Hughes, Mertens, Orozco, Ryan, and Chairman Sayah voting for the motion. Application is approved.

Mr. Orozco made a motion to adjourn the meeting. Motion was seconded by Mr. Hughes and carried. Meeting adjourned at 9:32 p.m.

Respectfully submitted,
Eileen Cusa, Recording Secretary

NOTE: A CD or DVD of this meeting is available on request.