

**REGULAR MEETING OF THE EATONTOWN ZONING BOARD OF ADJUSTMENT**  
**October 23, 2023 – Regular Meeting**

**Call to Order**

Chairman East called this in-person meeting to order at 7:00 p.m. and announced that the meeting had been advertised in accordance with the Open Public Meetings Act and had been noticed in the Asbury Park Press and the Star Ledger and a copy of the agenda for this meeting has been posted on the bulletin board in Borough Hall, and on the Borough website.

**Roll Call**

*Members Present: Chairman East, Vice-Chairperson Faust, Mr. Liszanckie, Mr. Anderson, Ms. Faccione, Mr. Mednick, Mr. Gilmore*

Absent: Mr. Granata

Also present: Marc Leckstein, Board Attorney and Colleen Matthews, Board Secretary;

**Approval of Minutes**

Motion is made by Mr. Liszanckie and seconded by Mr. Anderson to accept the minutes of September 11, 2023

Ayes: Mr. Liszanckie, Mr. Anderson, Mr. Granata, Chairman East, Mr. Mednick, Ms. Faccione

Nays: None

Not eligible: Vice-Chairperson Faust

Absent: Mr. Granata

**Resolutions to be Memorialized**

**ZB 2023-15    PB7 Associates LLC**  
**142 Highway 35, Block 1401 Lot 15**  
Certificate of Non-Conformity

Motion is made by Mr. Liszanckie and seconded by Mr. Mednick to adopt this resolution.

Ayes: Mr. Liszanckie, Mr. Mednick, Ch. East, Vice-Chair Faust, Mr. Anderson, Mr. Gilmore, Ms. Faccione

Nays: None

Absent: Mr. Granata

**ZB 2023-13 David Krueger  
106 First Street, Blk 3103 Lot 44**

8' x 10' shed next to dwelling, whereas a 10' setback from all structures is required.

Motion is made by Mr. Liszanckie and seconded by Mr. Anderson to adopt this resolution.  
Ayes: Mr. Liszanckie, Mr. Anderson, Ch. East, Vice-Chair Faust, Mr. Mednick, Mr. Gilmore,  
Ms. Faccione  
Nays: None  
Absent: Mr. Granata

**ZB 2023-14 Jonathan & Nicole Walker  
47 Sand Spring Drive, Blk 3103 lot 1  
7 variances**

Motion is made by Mr. Liszanckie and seconded by Ms. Faccione to adopt this resolution.  
Ayes: Mr. Liszanckie, Ms. Faccione, Ch. East, Mr. Mednick, Mr. Anderson, Mr. Gilmore  
Nays: None  
Abstain: Vice-Chair Faust  
Absent: Mr. Granata

**New Business**

**ZB 2023-18 Edmund Acquaviva  
Certificate of Non-Conformity  
6-10 Mail Street, Blk 901 Lot 6**

Mark A. Steinberg, Esq., states that he is representing the applicants, Mr. and Mrs. Acquaviva, in this matter.

Atty. Leckstein marks the application into evidence as A-1.

Atty. Steinberg explains that there are photos from the 1940's showing the second floor exterior with balcony of this property as well as certificates of occupancy and affidavits from prior owners that verify the existence of the second floor apartment since the 1950's. Atty. Steinberg also reviews that there are multiple certificates of occupancy, tax records and utility bills showing the apartment.

Atty. Leckstein reviews that is more than enough historical evidence that show the prior existence of this apartment.

It is noted that there is no public in attendance.

Motion is made by Mr. Liszanckie and seconded by Mr. Anderson to approve the Certificate of Non-Conformity.

Ayes: Mr. Liszanckie, Mr. Anderson, Chairman East, Vice-Chair Faust, Mr. Mednick, Mr. Gilmore, Ms. Faccione  
Nays: None  
Absent: Mr. Granata

**ZB 2023-19 Jamie Pavlis  
Certificate of Non-Conformity  
39 Lewis Street, Blk 401 Lot 71**

Mr. Pavlis states that he purchased this property on November 17<sup>th</sup>, 1988. Mr. Pavlis has submitted a copy of his Contract of sale that states the property was a legal two-family home, that the property is assessed as a two-family home, has two separate front entrances and separate rear entrances. . There have been numerous certificates of occupancy.

Atty. Leckstein reviews the proofs submitted.

It is noted that there is no public in attendance.

Motion is made by Vice-Chair Faust and seconded by Ms. Faccone to approve the Certificate of Non-Conformity.

Ayes: Vice-Chair Faust, Ms. Faccone, Chairman East, Mr. Lisanckie, Mr. Mednick, Mr. Anderson, Mr. Gilmore

Nays: None

Absent: Mr. Granata

**Adjournment**

Motion is made to close the meeting at 7:15 p.m. by Chairman East and seconded by Vice-Chairperson Faust. All in Favor.

Respectfully Submitted,

Colleen Matthews  
Board Secretary