

**BOROUGH OF SOUTH TOMS RIVER
LAND USE BOARD MINUTES
Tuesday, January 21, 2025 7:00 P.M.**

Mr. Jubert opened the meeting and proceeded to read the Open Public Law Statement and The Chairman's Statement. Mr. Whalen, Mr. Rolzhausen, Mr. Rutzler, and Mrs. Kratochvil waited to be sworn in before joining the meeting.

MOMENT OF SILENCE AND ALLEGIANCE TO THE FLAG

OPEN PUBLIC LAW STATEMENT MEETING

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of January 21, 2025 was included in a list of meetings notice sent to the Asbury Park Press on December 20, 2024 and advertised in said newspaper and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

CHAIRMAN'S STATEMENT

This meeting is a judicial proceeding any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to such a meeting must be maintained at all times. Any yelling, talking over each other and/or vulgar language will not be tolerated. This meeting shall end by 10:00 PM unless a majority of the board agrees to continue.

SWEARING IN OF NEW APPOINTMENTS

Mrs. Rumpf swore in the following appointed members: Class I George Rutzler (Mayor Designee) 12/31/2025, Class II Thea Kratochvil 12/31/2025, Class III Thomas Rolzhausen 12/31/2025, Class IV David Whalen 12/31/2028. The newly sworn in members then returned to the meeting and Mr. Whalen ran the meeting.

ROLL CALL

Present: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
Absent: Mrs. Grams

REORGANIZATION

Resolution 2025-01 Appointing Rumpf Law as Land Use Board Attorney

Mr. Serdinsky made a motion to appoint Rumpf Law as the Land Use Board Attorney for 2025, seconded by Mr. Jubert.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

Resolution 2025-02 Appointing Van Cleef Engineering as Land Use Board Engineer

Mr. Glogolich made a motion to appoint Van Cleef Engineering as the Land Use Board Engineer for 2025, seconded by Mr. Rutzler.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

Resolution 2025-03 Approving 2025 Land Use Board Meeting Dates

Mr. Rolzhausen made a motion to approve the 2025 Land Use Board Meeting Dates, seconded by Mr. Glogolich.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

Land Use Board Chairman

Mr. Rolzhausen made a motion to appoint David Whalen as the Land Use Board Chairman for 2025, seconded by Mr. Rutzler.

Yes: Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich, Mr. Serdinsky,
Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: Mr. Whalen

Land Use Board Vice-Chairman

Mr. Jubert made a motion to appoint Michael Serdinsky as the Land Use Board Vice-Chairman for 2025, seconded by Mr. Rolzhausen.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: Mr. Serdinsky

Land Use Board Secretary

Mr. Glogolich made a motion to appoint Thea Kratochvil as the Land Use Board Secretary for 2025, seconded by Mr. Jubert.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Petro
No: None
Abstain: Mrs. Kratochvil

APPROVAL OF MINUTES FROM DECEMBER 16, 2024

Mr. Serdinsky stated that the information regarding the bollards that the Board requested Toms River Oil Corporation to provide for the proposed propane filling station was omitted from the minutes. This information was included in the resolution “Applicant to submit revised plans. Details/bollards/etc. should be provided for the proposed propane filling station”. Mr. Serdinsky made a motion to approve the December 16, 2024 minutes with that correction, seconded by Mr. Glogolich.

Yes: Mr. Rutzler, Mr. Jubert, Mr. Glogolich, Mr. Serdinsky, Mrs. Kratochvil
No: None
Abstain: Mr. Whalen, Mr. Rolzhausen, Mrs. Petro

OLD BUSINESS

RESOLUTION NO. 2025-04 - BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, NEW JERSEY APPROVING MINOR SITE PLAN WITH VARIANCES FOR TOMS RIVER OIL CORPORATION, BLOCK 22, LOT 10.18

Mr. Serdinsky made a motion to approve Resolution 2025-04, seconded by Mr. Rutzler.

Yes: Mr. Rutzler, Mr. Glogolich, Mr. Serdinsky, Mrs. Kratochvil
No: None
Abstain: None

NEW BUSINESS

The Board received a letter dated January 16, 2025 from Christopher M. Supsie, Attorney for Rodney Hailey, 65 Flint Rd., requesting a continuance for his application to the February 18, 2025 meeting. This request is being made to allow the Board Engineer time to review the site plan submission. Mrs. Rumpf stated that this is the second continuance requested by the applicant and if he is not prepared to move forward at the February meeting he will need to readvertise.

Mr. Glogolich made a motion to approve the continuance, seconded by Mr. Rutzler.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Glogolich, Mr. Jubert, Mrs. Kratochvil
No: Mr. Serdinsky, Mrs. Petro
Abstain: Mr. Rolzhausen

DRM Construction
118 Dover Rd.
Block 10 Lot 16

John Jackson, Esq., JJJ Law Firm, attorney for the applicant was sworn in by Mrs. Rumpf.

Mr. Jackson stated that this is an application for a single-family home located at 118 Dover Rd. and his clients are builders. Mr. Jackson handed a power point presentation to the board marked as A-1. On page 2 is an arial view of the property showing that it is located at bend on Dover Rd., pages 3, 4, and 5 shows the property as it is now, pages 6 and 7 show what the applicant proposes to build. The proposed home is a two story, single-family home with a basement. The lot is undersized having 6,400 s.f. where 10,000 s.f. is required and the width is 48' where 70' is required. There are smaller lots on the street and the applicant believes what he proposes will fit in well in the neighborhood. Page 8 of the power point shows the variance plan and it also shows the property as it is on the tax map and it is a trapezoid shaped lot. The applicant sent out a buy/sell letter and the house next to property wanted too much money and the other property is owned by the Borough of South Toms River. The applicant is seeking relief under C1 which is hardship due to the fact that is an existing undersized lot. The applicant also seeks approval under a C2 where you advance the purpose of Municipal Land Use Law and the benefits outweigh the detriments. Page 9 shows the Boundary and Topographic Survey of the property.

Mrs. Rumpf swore in Donna Bullock, Engineer/Project Manager, Morgan Engineering & Surveying. Ms. Bullock stated that the property is located in the R10 district and consists of 6,403 s.f. The property is an undeveloped lot located on the south side of Dover Rd. and is approximately 450' west of Mill St. To the west of the property are developed residential lots and to the rear, south, and east the adjacent properties are owned by the Borough of South Toms River. Public water and sewer are available for connection. The drainage of the property runs south to north and the property drains on to Dover Rd. and should comply with Borough ordinances regarding runoff. The applicant is proposing a two story residential dwelling with a

basement, one car garage, and covered front porch with steps and a sidewalk leading to an asphalt driveway. The rear would have a landing and steps to the backyard. There would be parking in the one car garage and then another space in the driveway. The variances requested are lot area 10,000 s.f. is required, proposed is 4,603 s.f., lot width 70' is required, proposed is 48.3', proposed side yard setback to the east is 9.4 where 10' is required and to the west side a 7.4' setback for 5' in the back part of the side to allow for a fireplace and 9.4' for the rest of the west side where 10' is required.

Mr. Jubert asked about the driveway as this is a county road with a 30 MPH speed limit. The county may require a T shaped driveway. Mrs. Rumpf swore in the applicant Manuel Leonardo, DRM Construction, and he will comply with whatever the county requires him to do.

Mr. Whalen asked about curbing and sidewalks. The applicant agreed to install the curbing and sidewalks. There was discussion about low hanging wires and while the applicant isn't sure if they are electrical or cable, he will be in contact with the utility companies to help rectify the situation.

Mr. Whalen asked about the fireplace being listed as optional on the plans. The applicant stated that he would like to have the variance for the fireplace bump out but if the board objected to it then he would remove it. Looking at views from Google earth the board could see the distance between the proposed house to the house next to it was sufficient and allowed for the fireplace bump out to remain.

Mr. Whalen opened the application to the public. Seeing no public present, Mr. Whalen closed the application to the public.

There were no more questions from the board members. Mr. Jubert made a motion to approve the variances requested, seconded by Mr. Rutzler.

Yes: Mr. Whalen, Mr. Rutzler, Mr., Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

APPROVAL OF BILLS

Van Cleef Engineering

Invoice #24006.05-1 DRM Construction	\$522.00
Invoice #24006.04-1 Toms River Oil Corp	\$818.00
Total	\$1,340.00

Mr. Jubert made a motion to approve the invoices from Van Cleef Engineering, seconded by Mr. Glogolich.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

Rumpf Law

Invoice #18845 Professional Services LUB	\$184.28
Invoice #18851 Toms River Oil Corp	\$651.15
Total	\$835.43

Mr. Rutzler made a motion to approve the invoices from Rumpf Law, seconded by Mr. Serdinsky.

Yes: Mr. Whalen, Mr. Rutzler, Mr. Rolzhausen, Mr. Jubert, Mr. Glogolich,
Mr. Serdinsky, Mrs. Kratochvil, Mrs. Petro
No: None
Abstain: None

CHAIRMAN'S REPORT

None

CORRESPONDENCES

Mrs. Kratochvil stated that she had received an email from Jeremy Edinger, Van Cleef Engineering, in regards to a Stormwater Management Training Video the board members are required to watch. The NJDEP will be inspecting the Borough on February 5th for compliance with the MS4 Stormwater Permit requirements and the board members need to watch the video beforehand. The link for the video was emailed to all the members.

PUBLIC COMMENT

Mr. Whalen opened the meeting to the public. There was no public present.

ADJOURNMENT

Seeing as there was no other business to come before the Board, Mr. Rutzler made a motion to adjourn the meeting, seconded by Mr. Glogolich. All ayes.

Respectfully Submitted,
Thea Kratochvil
Land Use Board Secretary