

BOROUGH OF DEAL

PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES

November 3, 2021

A regular virtual meeting of the Planning Board/Board of Adjustment of the Borough of Deal was called to order by Chair Richard Cummings.

Richard Cummings asked everyone to salute the flag.

Stephen Carasia read the sunshine law, in conjunction with the "Open Public Meeting Law", p.l. 1975 C231, the notice required by this statute has been satisfied as per a resolution passed on December 5, 1997 at 8:00 P.M. at Borough Hall at a regular meeting of the Planning Board, Borough of Deal, Monmouth County, New Jersey. This meeting is a judicial proceeding. Any questions or comments must be limited to the issues of what this Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.

Roll Call of those present: Ruby Antebi, Nicole Cohen, Richard Cummings, Kathleen Jannarone, Irwin Levine, David Simhon

Those Absent: Joe Cohen, Mandy Cohen, Sam Cohen, Richard Fetaya, Max Zeevi

A motion was made by Kathleen Jannarone and seconded by Richard Cummings that the minutes of the October 6, 2021, meeting be adopted.

Moved by: Kathleen Jannarone
Seconded by: Richard Cummings

ROLL CALL VOTE

Those in favor: Ruby Antebi, Nicole Cohen, Richard Cummings, Kathleen Jannarone, Irwin Levine

Those opposed: None

Those absent: Joe Cohen, Mandy Cohen, Sam Cohen, Richard Fetaya, Max Zeevi

Those not voting: David Simhon

The next item is a motion to table the reading of the Resolution for 128 Norwood Avenue, Block 31, Lot 2, The Synagogue of Deal until next month.

Moved by: Richard Cummings
Seconded by: Irwin Levine

ROLL CALL VOTE

Those in favor: Nicole Cohen, Richard Cummings, Irwin Levine

Those opposed: None

Those absent: Joe Cohen, Mandy Cohen, Sam Cohen, Richard Fetaya, Max Zeevi

Those not voting: Ruby Antebi, Kathleen Jannarone, David Simhon

The final item on the agenda is 72 Brighton Avenue, Block 30, Lot 4, Edward Dana. The applicant is proposing a three-story dwelling with swimming pool, pool house, exercise building and basketball court. The tennis court will be removed. Representing himself is the Owner, Edward Dana.

Enter into evidence:

A-1 Architectural Plans by Warren Meister Architects comprised of 14 sheets dated 6/28/2021 with a latest revision dated 8/10/2021.

A-2 Plot/Grading Plan by Charles Surmonte P.E. dated 5/26/2021 with a latest revision dated 8/10/2021.

A-3 Survey by William J. Fiore, P.L.S. of William J. Fiore, Inc. dated 2/8/2019 with no revisions.

A-4 Color rendering of subject property.

B-1 Engineer review letter by Leon S. Avakian, Inc. dated 9/21/2021.

Edward Dana, I am the owner of 72 Brighton Avenue, this is an empty lot on Brighton Avenue between Ocean Avenue and Norwood Avenue. My architect is Warren Meister and I would like to call him to explain the proposed house.

Paul Fernicola, Mr. Meister, have you appeared before this board in the past and are you a licensed Architect?.

Warren Meister, yes I have.

Paul Fernicola, I would recommend the board accept this witness.

Richard Cummings, we accept this witness.

Warren Meister, the house itself falls within the zoning and we are asking for relief for two items, 1 is the side porch and steps on the East side and a set of steps down to the cellar on the West side. We had to raise the building because the water level on the property below grade is very high. We've terraced the front up and created a porch in the back with steps going down.

Richard Cummings, I do not see any sidewalks to the front house steps. Are you putting any in?

Warren Meister, my client has not asked for any. We are planning on grass at this point. Whatever we do we will be open with the Borough. If I change anything on the exterior, I will let the building department know.

Paul Fernicola, Mr. Avakian's letter indicates that the air conditioner units and generator on the west side is 6 feet and the Ordinance states 10 feet, can you confirm that a third variance is required?

Warren Meister, yes.

Paul Fernicola, can you tell us how you plan to amend the application to comply with the west side 10 foot setback for the A/C units.

Warren Meister, I will move the exercise building 5 feet to the East and will eliminate the variance for the air conditioner and generator.

Paul Fernicola, Avakian's letter states that the pool equipment is 6 feet. How do you plan to eliminate the variance for the pool equipment?

Warren Meister, we will move the exercise building to the East 5 feet so the generator and pool equipment will not need a variance.

Kathleen Jannarone, I would like to have this application carried for one month to see the revised plans.

Warren Meister, I would ask that we would like a vote so we can begin the construction process. I can have the revised plans done within 10 days.

David Simhon makes a motion to accept the application subject to the revisions of the rear placement of the generator and air conditioner units. Ruby Antebi seconds the motion.

Paul Fernicola, per Avakian's letter there are a couple of conditions that should be included in the motion, the architect should revise the zoning table on the Architectural site plan sheet and a general note that the sidewalk and existing curb will be replaced if found in poor condition.

Moved by: David Simhon
Seconded by: Ruby Antebi

ROLL CALL VOTE

Those in favor: Ruby Antebi, Nicole Cohen, Richard Cummings, Kathleen Jannarone,
Irwin Levine, David Simhon

Those opposed: None

Those absent: Joe Cohen, Mandy Cohen, Sam Cohen, Richard Fetaya, Max Zeevi

Those not voting: None

There being no further business, the meeting was adjourned.

Respectfully submitted.

Michael W. Egan
Planning Board Secretary