

BOROUGH OF DEAL

PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES

March 26, 2024

A regular virtual meeting of the Planning Board/Board of Adjustment of the Borough of Deal was called to order by Planning Board Attorney Erik Anderson.

BOROUGH OF DEAL PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES February 27, 2024. A regular virtual meeting of the Planning Board/Board of Adjustment of the Borough of Deal was called to order by Planning Board Secretary, Kelly Barrett. FOLLOWING THE SALUTE TO THE FLAG, Ms. Barrett, read the following 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 January 23, 2024 at 7:30 P.M. at regular virtual 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

Present: Mr. Cummings, Mrs. Jannarone, Commissioner Simhon, Mr. Antebi, Mr. J. Cohen, Mayor Cohen

Absent: Ms. N. Cohen, Mr. Zeevi , Ms. M. Cohen,

MINUTES

A motion was made approve the minutes of the February 27, 2024, Regular Planning Board Meeting

Moved by: Chairman Cummings Seconded by: Ms. Jannarone

AYES: Chairman Cummings, Mrs. Jannarone, Commissioner Simhon, Mr. Antebi,

NAYS: None

ABSTAIN: None

RESOLUTION (S)

110 Monmouth Drive – 3-206-2024 (1)

ANNOUNCEMENT

8 Neptune Avenue application carried to April 10, 2024. (No further notice required)

APPLICATION UNDER CONSIDERATION

28 Richmond Avenue

Samuel V., Convery, Esquire representing the applicant addressed the Board. Mr. Convery introduced Joelle Levine. Ms. Levine on behalf of her parents was sworn in. Ms. Levine supplied a history of the property and explained the rationale for the proposed renovations.

Board Members inquired about safety features, i.e., barrier/fencing for deck and hot tub; if existing nonconformities on the property could be eliminated or reduce

Mr. Convery introduced Anthony Ercolino, a New Jersey licensed architect. Mr. Ercolino was sworn in, and the Board accepted his credentials. Mr. Ercolino explained the existing conditions at the premises, described the interior floor plans and proposed renovations. Two window wells will be added to the basement level creating two legal bedrooms making a total of seven bedrooms.

Mr. Ercolino stated the plans can be revised to relieve setback variance relief being sought and safety features will comply with the Borough Ordinances and Board recommendations.

Mr. Convery introduced Andrew Janiw, a New Jersey licensed professional planner. Mr. Janiw was sworn in, and the Board accepted his credentials. Mr. Janiw described the existing conditions of the undersized, split zoned property between R-1 and R-2 zones and the surrounding neighborhood. The property consists of preexisting nonconformities, which will not be affected by this proposal. On the north side yard setback for the landing and stairs are proposed at 8.5 feet where 15 feet is required. The deck stairs on the other side can be recessed. The rear yard setback is proposed at 21.3 feet where 25 feet is required, and 21.4 feet is existing. The building coverage is currently 24.2 percent and 25.5 percent is proposed where 20 percent is permitted. The impervious coverage is proposed at 39.9 percent, which brings it into conformance. The 8' by 8' hot tub/spa is considered an accessory structure and requires a 30-foot setback under the ordinance swimming pool standards and 10 feet is proposed.

The renovations are proposed in the rear of the property and will have minimal visual impact. The variances being required can be granted without substantial detriment to the public good and will not impair the intent and purposes of the zone plan.

The application was opened for public questions and/or comments. Roger Arzt residing at 33 Woodford Road was sworn in. Mr. Arzt was concerned with runoff impacting his property. Mr. Arzt was advised the amount of impervious coverage will be reduced under this application. There being no further public questions and/or comments, the public portion was closed.

After discussion, Mayor Cohen made a Motion to approve the application subject to revised plans being submitted for review and approval; Seconded by Commissioner Simhchon.

Roll call vote:

Ayes: Mr. Antebi, Chairman Cummings, Mayor Cohen, Joseph Cohen, Commissioner Simhchon

Nays: Ms. Jannarone

There being no further business before the Board, Motion was made and seconded to adjourn at approximately 8:30 pm.

The next regularly scheduled meeting will be held via ZOOM on April 10, 2024 at 7:30 pm.

Respectfully submitted,

Michele A. MacPherson

State Shorthand Reporting Services, Inc.

