

**BOROUGH OF DEAL**

**PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES**

**March 28, 2023**

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.

FOLLOWING THE SALUTE TO THE FLAG, Stephen Carasia, Board Secretary, 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 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: Mrs. Jannarone, Mr. Kassin, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen

Those Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

**MINUTES -**

A motion was made by Commissioner Simhon and seconded by Mrs. Jannarone that the minutes of the meeting held February 28, 2023 meeting hereby be approved as presented.

**ROLL CALL VOTE**

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin

**CORRESPONDENCE - None**

**RESOLUTIONS-**

The first item on the agenda is the adoption of the Resolution 2023-003, 8 Lakeview Road, Block 66 Lot 2. Approved at the February 28, 2023 meeting.

**RESOLUTION 2023-003**

Whereas, Joey Bawabeh, the record owner of the property has applied to the Planning Board of the Borough of Deal for variances at the premises located at 8 Lakeview Road, Borough of Deal and known as Block 66, Lot 2 on the official tax map of the Borough of Deal which premises are located in both the R-2 zone.

The Applicant is proposing renovations and additions to the principal dwelling with an in-ground swimming pool and no patio for the pool. Applicant is also removing a portion of the driveway.

The proposed improvements require Planning Board approval for the side yard setback to the dwelling and the side yard setback to the swimming pool. The property and dwelling have existing non-conformities with the lot area, lot frontage, lot width, side setback and impervious coverage.

A hearing was held in connection with this matter on February 28, 2023.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.

2. The Applicant was represented by Jennifer Krimko.
3. The Applicant presented the testimony of David Collins, a New Jersey architect.
4. The Applicant presented the following exhibits:
  - a. A-1 Topographic Survey dated 5/20/22.
  - b. A-2 Architectural Plan Feltz Collins Architecture dated 2/2/23.
  - c. A-3 Color rendering.
  - d. A-4 Aerial photograph.
  - e. A-5 Color rendered of plot plan.
  - f. B-1 Leon S. Avakian, Inc. engineer review letter dated 2/15/23.
5. The property has a total area of 9,750 square feet.
6. The existing lot contains a single-family dwelling, with a coved front porch and detached carriage house.
7. The Applicant agreed to reduce the size of the pool to 10' x 18'6" to be centered from East to West. The proposed pool will conform with existing side yard setback. The pool side yard setbacks will be 27'6" and 27'6".
8. The Applicant is proposing to remove the existing driveway and install a new concrete driveway leading the rear carriage house.
9. The Applicant is proposing to remove the concrete patio at the rear of the home.
10. The Applicant is proposing a set of stairs leading from the southwest corner of the home to the ground level.
11. The Applicant is proposing to enclose a portion of the first-floor porch at the east elevation to construction a new first story addition. This will not increase the footprint of the home.
12. The Applicant is proposing a new 2 ½ story addition at the southeast corner of the home.
13. The Applicant is proposing a new 1 story addition at the southwest corner of the home.
14. The Applicant is proposing new porch columns on the first-floor level.
15. The Applicant is proposing to shift the walkway to the front of the home in a westerly direction.
16. The Applicant is proposing to remove a concrete pad at the southeast corner of the carriage house.
17. The permitted minimum lot area is 18,750 square feet. Currently existing is 9,750 square feet, which is non-conforming. No change is proposed.
18. The permitted minimum lot frontage is 150 feet. Currently existing is 65 feet, which is non-conforming. No change is proposed.
19. The permitted minimum side yard setback is 13 feet. Currently existing is 10.2 feet (east side) and 12.6 feet (west side), which is non-conforming. Applicant proposes expansions of these non-conformities – first floor addition a 10.2 feet (east side) and first floor addition with 12.6 feet (west side) side yard setbacks. **Variances are required.**
20. The permitted maximum impervious coverage is 40 percent. Currently existing is 43.6%, which is non-conforming. Applicant proposes 35.7%, which conforms.
21. The Applicant proposes a solid vinyl fence on the East Side.

Whereas, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of February 2023 that the application is approved subject to the following conditions:

(1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.

(2). The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters February 15, 2023.

(3). A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.

(4). The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.

(5). The Applicant shall obtain all approvals necessary for this project.

(6). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes

(7). Any future improvements will require Planning Board Approval.

Moved by: Mrs. Jannarone

Seconded by: Commissioner Simhon

#### ROLL CALL VOTE

Those in favor: Mrs. Jannarone, Chairman Cummings, Vice-chair Cohen, Commissioner Simhon, Mayor Cohen

Those opposed: None

Those absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi, Mr. Kassin

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of March, 2023 that the Resolution of be adopted.

Moved: Mrs. Jannarone

Seconded: Vice Chair J. Cohen

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin

The second item on the agenda is the adoption of the Resolution 2023-004, 110 Monmouth Drive, Block 50 Lot 1. Approved at the February 28, 2023 meeting.

#### RESOLUTION 2023-004

Whereas, 110 Monmouth Drive, LLC is the record owners of the property have applied to the Planning Board of the Borough of Deal for variances at the premises located at 110 Monmouth Drive, Borough of Deal and known as Block 50, Lot 1 on the official tax map of the Borough of Deal which premises are located in both the R-1 zone.

The Applicant is proposing an inground swimming pool with a new driveway. The Applicant is proposing to remove the detached garage.

The proposed improvements require Planning Board approval for the inground pool distance from the Monmouth Drive right-of-way.

A hearing was held in connection with this matter on February 28, 2023.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
2. The Applicant was represented by Jennifer Krimko, Esq.
3. The Applicant presented the testimony of Patrick Ward, a licensed New Jersey architect and planner.
4. The Applicant presented the following exhibits:
  - a. A-1 Survey.
  - b. A-2 Plot plan dated 11/16/22.
  - c. A-3 Color rendering of plot plan.
  - d. B-1 Leon S. Avakian, Inc. engineer review letter dated 2/1/23.
5. The property has a total area of 12,344 square feet.
6. The existing lot contains a single-family dwelling with a detached garage and driveway access.
7. The Applicant is proposing an inground swimming pool with a new driveway. The Applicant is proposing to remove the detached garage.
8. The Applicant explained that the layout of the pool was designed to be in line with the house and be concealed by shrubbery – evergreens of approximately 6' to 8' in height.
9. The Applicant explained that the layout of the pool was designed to direct activity to the rear on the home.
10. The Applicant proposed to amend its plan to move the pool 10' from the rear of the property and meet the 50' set back from the front yard. The Applicant agreed that the revised plans would be subject to review and approval of the Borough's professionals.
11. The Applicant proposes to remove the detached garage.
12. The minimum lot area permitted is 18,750 square feet. Currently existing is 12,344 square feet, which does not conform. No change is proposed.
13. The minimum lot frontage permitted is 15 feet. Currently existing is 135.8 feet, which does not conform. No change is proposed.
14. The minimum lot width permitted is 150 feet. Currently existing is 128 feet, which is does not conform. No change is proposed.
15. The minimum lot depth permitted is 125 feet. Currently existing is 95.2 fee, which does not conform. No change is proposed.
16. The minimum front yard setback permitted is 50 feet. Currently existing is 33.6 feet, which does not conform. No change is proposed.
17. The Applicant proposed to amend its plan to provide that the pool equipment be placed 2 feet from the rear yard lot line. **A variance is required.** The Applicant agreed that the revised plans would be subject to review and approval of the Borough's professionals.

Whereas, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of February 2023 that the application is approved subject to the following conditions:

- (1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.
- (2). The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters February 1, 2023.
- (3). A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- (4). The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.
- (5). The Applicant shall obtain all approvals necessary for this project.
- (6). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes.
- (7). Any future improvements will require Planning Board Approval.

Moved by: Vice-Chair Cohen  
Seconded by: Commissioner Simhon

#### ROLL CALL VOTE

Those in favor: Jannarone, Chairman Cummings, Vice-chair Cohen, Commissioner Simhon, Mayor Cohen

Those opposed: None

Those absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi, Mr. Kassin

Those not voting: None

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of March, 2023 that the Resolution of be adopted.

Moved: Chair Cummings  
Seconded: Commissioner Simhon

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin

The third item on the agenda is the adoption of the Resolution 2023-005, 68 Runyan Avenue, Block 35 Lot 24. Approved at the February 28, 2023 meeting.

#### RESOLUTION 2023-005

Whereas, Selim and Pauline Dushey, the record owners of the property have applied to the Planning Board of the Borough of Deal for variances at the premises located at 68 Runyan Avenue, Borough of Deal and known as Block 35, Lot 24 on the official tax map of the Borough of Deal which premises are located in both the R-3 zone.

The Applicant is proposing to convert a detached garage to a day cabana and proposing an inground pool, pool patio and terrace (raised patio) with basement (which exists). The Applicant received a permit for interior renovations, an addition to the existing second floor, addition to the front porch and an addition to the rear of the dwelling.

The proposed improvements require Planning Board approval for the side yard setback to the pool, building coverage and the side yard setback to the cabana. The existing lot has a non-conformity with lot width. The dwelling has a non-conformity with front and side yard setback.

A hearing was held in connection with this matter on February 28, 2023.

Whereas, the Board after carefully considering the evidence presented by the Applicant, the Applicant's expert and the comments, if any, by the general public, has made the following factual findings:

1. The Applicant is the owner of the property.
2. The Applicant presented the testimony of Michael Savarese, a licensed New Jersey architect and planner.
3. The Applicant presented the following exhibits:
  - a. A-1 Architectural drawings dated 2/2/23.
  - b. A-2 Grading plan dated 2/2/23.
  - c. A-3 Survey dated 12/7/20.
  - d. B-1 Leon S. Avakian, Inc. engineer review letter dated 2/15/23.
4. The property has a total area of 13,531 square feet.
5. The existing lot contains a single-family dwelling with a detached garage.
6. The Applicant is proposing to convert a detached garage to a day cabana and proposing an inground pool, pool patio and terrace (raised patio) with basement. The Applicant received a permit for interior renovations, an addition to the existing second floor, addition to the front porch and an addition to the rear of the dwelling.
7. The Applicant agreed to construct the inground pool in a manner which conforms with the zoning ordinances of the Borough. Specifically, the pool will be set back 30 feet from the side yards and rear yard. The Applicant will amend its plans to reflect this change and such revisions to the Applicant's plans are subject to review and approval of Borough officials/professionals.
8. The Applicant explained that during their addition they built out a basement without approval. They are requesting to remove an existing wood deck at the rear of the home and construct a raised patio overtop of the current existing newly constructed basement. The existing building coverage which exists is 19.4%, which conforms (20% is permitted). With the raised patio and basement underneath, the building coverage will increase to 24.5%, **which requires a variance.**
9. The Applicant proposes to construct a closet, bedroom, bathroom and storage in the basement. Approximately 770 square feet of the basement will contain living space. The remaining area of the basement will not be used for living space. The Applicant has agreed to have the plans reflect these improvements and state that no other area of the basement shall be used for living space.
10. The Applicant proposes that all pool equipment will be placed in a conforming location of the property. The plans will reflect this placement, subject to review and approval of Borough professionals.
11. The Applicant proposes to convert the detached garage into a day pool cabana. Applicant represents that it will not be converted into living space. The Applicant will have the plans reflect that no living space is to exist in the new day cabana. The Applicant will file a deed restriction reflecting that the day cabana will not be converted and/or used for living space.
12. The existing garage/day cabana building height is 15.2 feet, which conforms.
13. The permitted side and rear yard setback to the garage/day cabana is 15.2 feet. Applicant proposes a side set back of 48.5 feet on the east side, which conforms. The Applicant proposes a side set back of 14.4 feet on the west side. **A variance is required.**
14. The permitted rear yard setback to the garage/day cabana is 15. Feet. The Applicant proposes 3.9 feet. **A variance is required.**
15. The permitted minimum lot width is 100 feet. Currently existing is 83.1 feet, which is non-conforming. No change is proposed.

16. The permitted minimum front yard setback is 50 feet. Currently existing is 48.9 feet, which is non-conforming. No change is proposed.

17. The permitted minimum front yard setback to a porch is 40 feet. Currently existing is 39.1 feet, which is non-conforming. No change is proposed.

18. The permitted minimum side yard setback is 16.62 feet. Currently existing is 19.6 feet (east side) and 9.7 feet (west side). The west side is non-conforming. The Applicant proposes 24.9 feet (east side) and 16.26 feet to the basement (west side), which conforms.

Whereas, the Board has determined that the relief requested by the Applicant can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of February 2023 that the application is approved subject to the following conditions:

(1). The Applicant shall comply with all promises, commitments and representations made at or during the Public Hearing Process.

(2). The Applicant shall comply will those applicable terms and conditions of the Leon S. Avakian review letters February 15, 2023.

(3). A general note should be added to the plan indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.

(4). The Applicant shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. All construction shall comply with prevailing provisions of the Uniform Construction Code.

(5). The Applicant shall obtain all approvals necessary for this project.

(6). The Applicant shall in conjunction with appropriate Borough Ordinances pay all appropriate/required fees and taxes

(7). Any future improvements will require Planning Board Approval.

Moved by: Commissioner Simhon

Seconded by: Vice Chair Cohen

#### ROLL CALL VOTE

Those in favor: Mrs. Jannarone, Vice-chair Cohen, Commissioner Simhon, Mayor Cohen

Those opposed: None

Those absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi, Mr. Kassin

Those not voting: Chairman Cummings

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of March, 2023 that the Resolution of be adopted.

Moved by: Vice Chair Cohen

Seconded by: Chair Cummings

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin

The fourth item on the agenda is the adoption of the Resolution 2023-006, Block 89, Lot 1 Subdivision. Approved at the February 28, 2023 meeting.

## RESOLUTION 2023-006

Whereas, Borough of Deal, the record owner of the property has submitted a capital review request to the Planning Board of the Borough of Deal relating to a Minor Subdivision to create two separate lots from the existing parcel identified as Lot 1, Block 89 on the official tax map of the Borough of Deal which is located in the R-1 Zone.

The Borough of Deal is proposing a Minor Subdivision to create two lots from the existing parcel identified as Lot 1, Block 89. The new lot would be identified at Lot 1.01, Block 89. The Planning Board conducted its review of the Borough's proposal at a public hearing on February 28, 2023.

Whereas, the Board after carefully considering the evidence presented in connection with the Borough's proposal and, if any, by the general public, has made the following factual findings:

1. The Borough of Deal owns the property in question.
2. The proposed minor subdivision request was submitted by the Borough of Deal to the Planning Board for review pursuant to NJSA 40:55D-31.
3. The Borough owns Lot 1, Block 89 which consists of municipal beach front and extends from Long Branch on the north to Allenhurst on the south.
4. The Borough of Deal wishes to subdivide Lot 1, Block 89 to create a new parcel of land identified as Lot 1.01, Block 89. The newly subdivided parcel will allow public access from Neptune Avenue to the beach. This will also continue public access to view the Atlantic Ocean.
5. The proposed Minor Subdivision does not impact Municipal Public Beach access.
6. The Planning Board finds the proposed Minor Subdivision consistent with the Master Plan and in the best interest of the Borough.
7. No one offered public comment relating to the proposed Minor Subdivision at the hearing.

Whereas, the Board has reviewed the proposed Minor Subdivision proposal pursuant to NJSA 40:50D-31 and find that the proposal is consistent with the Borough's Master Plan and is beneficial for the public good and does not impair the intent and purpose of the Zone Plan of the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of February 2023 find that the proposed Minor Subdivision is appropriate and consistent with the Borough of Deal's Master Plan and in the best interest of the Borough.

Moved: Mrs. Jannarone  
Seconded: Vice Chair J. Cohen

### ROLL CALL VOTE

Those in favor: Mrs. Jannarone, Chair Cummings, Vice Chair J. Cohen  
Those opposed: None  
Those absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mr. Kassin, Mrs. Mamiye, Mr. Zeevi  
Those not voting: Commissioner Simhon, Mayor Cohen

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Deal on the 28th day of March, 2023 that the Resolution of be adopted.

Moved by: Commissioner Simhon  
Seconded by: Vice Chair J. Cohen

### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon, Mayor Cohen  
Nays: None  
Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi  
Those Not Voting: Mr. Kassin



Planning Board Attorney Erik Anderson moved Resolution- 15 Poplar Avenue-Zoning Appeal, to the April 3, 2023 special meeting at 11 A.M.

**OLD BUSINESS-** None

**NEW BUSINESS-**

A. Address: 49 Norwood Avenue, Block 12 Lot 7.02

Applicant: 49 Norwood, LLC

Attorney: Mr. Jeffrey Dweck

Description: The applicant is proposing a third-floor habitable attic space to the principal dwelling and converting the one-story detached garage to a two-story dwelling.

Erick Anderson, Planning Board Attorney entered into evidence:

B-1 Avakian Letter Dated March 15, 2023

A-1 Affidavit of Service

A-2 Application

A-3 Checklist

A-4 Architectural Drawings Dated November 15, 2022

A-5 Property Survey Dated September 30, 2022

Jason Peist, AIA of Jason Peist Architect, LLC was submitted as an expert by Jeffrey Dweck.

Erick Anderson, Planning Board Attorney, swore Jason Peist in.

Chair Cummings accepted Jason Peist as an expert.

Jason Peist provided expert testimony explaining for the existing house, the homeowners would like to add a master suite to the attic. He stated they have met the code requirement for such in the proposed plan. He further explained the other part of the application is regarding the detached garage stating they will be using the existing structure of the garage and have the first floor contain a kitchen, bathroom, and open space, and on the second floor have as a loft area to be used as a home gym and another bathroom.

Erick Anderson, Planning Board Attorney, swore/affirmed in homeowners Mr. & Mrs. Franco.

Vice Chair J. Cohen asked if air conditioning will be added to the garage dwelling, and where will it be.

Mrs. Franco responded yes.

Jeffrey Dweck responded the air conditioning will be on the south wall of both floors and will be interior with a vent on the outside. He further explained the variance relief they are seeking is in regard to the bathroom and showers.

Erik Anderson explained the variance relief is in regard to the detached garage since they are building up to a second floor, the minimum side yard and rear yard setback requirements increase.

Jason Peist explained the required setbacks are 10 feet, and they are proposing 2.5 feet rear yard setback and 3.5 feet side yard setback, which is what is currently existing.

Jeffrey Dweck clarified the garage will be used for purely recreational purpose; it will not be used as a living space, and therefore it will not be used in the calculation of the setbacks. As well, they will give a deed restriction so it cannot be used as a living space.

Commissioner Simhon suggested leaving the garage as a single floor.

Chair Cummings and Mrs. Jannarone concurred with Commissioner Simhon.

Chair Cummings stated he is okay with having one bathroom without a shower in the garage space and has no issues with the third floor bedroom suite.

Mrs. Jannarone suggested the applicant to go back to the drawing board and come back next month with a new proposed plan.

Commissioner Simhon suggested bifurcating the application between the main house and the garage, and for the applicant to return with revised plans for the garage.

Jeffrey Dweck agreed to bifurcate the application between the main house and the garage.

Erik Anderson commented the only variance relief being seek for the main house, is the side yard setback on the north side; it is currently in nonconformity of 11.9', and what is permitted is 12.58' normally.

Chair Cummings moved to bifurcate the application between the main house and the garage with the applicant returning with revised plans, seconded by Mrs. Jannarone.

Moved by: Chair Cummings  
Seconded by: Mrs. Jannarone

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin, Mayor Cohen

Commissioner Simhon made a motion to approve the application for the main house only, seconded by Chair Cummings.

Moved by: Commissioner Simhon  
Seconded by: Chair Cummings

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Vice Chair J. Cohen, Chair Cummings, Commissioner Simhon

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi

Those Not Voting: Mr. Kassin, Mayor Cohen

Erik Anderson stated the portion of the application related to the detached garage will be carried to the April 25, 2023 regular meeting, and there will be no need for further notice.

#### B. Address: 229 Ocean Avenue, Block 42 Lot 1

Applicant: Richard Haddad

Attorney: Mr. R. Armen McOmber

Description: Applicant is proposing a second floor addition as well as a new front covered porch and rear covered porch.

Erick Anderson, Planning Board Attorney entered into evidence:

B-1 Avakian Letter Dated March 23, 2023

A-1 Affidavit of Service

A-2 Affidavit of Publication

A-3 Application

A-4 Checklist

A-5 Property Survey Dated December 2, 2020

A-6 Plot Plan Dated March 12, 2021

A-7 Architectural Plan Dated January 13, 2023

R. Armen McOmbler entered into evidence two colored renderings, Exhibits A-8 & A-9.

R. Armen McOmbler gave background on what is being seek through the application, stating they are requiring a lot of variances. He explained he has two experts with him tonight, Doug Clelland, professional engineer from Insite Engineering, and Antonio Scalise, certified architect from Parallel Architecture, who will speak tonight.

Erik Anderson swore Doug Clelland in.

Doug Clelland explained he is a professionally licensed engineer in the State of New Jersey and explained the existing conditions of the site. He stated the application is requesting to install an addition to the existing residence, a new covered porch, a new driveway, and a new walkway from the sidewalk. He explained the proposed setbacks compared to the required and existing, and showed the site layout proposed.

Commissioner Simhon asked what the surface/flooring of the pergola is, and if there are areas you can reduce to bring the percentages down.

Mrs. Jannarone asked if the driveway is affecting the coverage.

Doug Clelland responded yes.

Chair Cummings suggested removing a couple feet from the driveway and a couple feet from the pool deck to get to 47% coverage.

Commissioner Simhon suggested to reduce the front walk-in to bring down the percentages of the impervious coverage.

Erik Anderson swore in Franco Rauseo, the project manager for the site.

Franco Rauseo commented to get the coverage to 50%, they could shrink the driveway and the patio by the pool a bit to get where they need to be.

Mrs. Jannarone and Commissioner Simhon agreed that 50% coverage is okay.

Erik Anderson commented the board could give a conditional approval of the application tonight as long as the revised plans are approved by the borough's engineer.

Erik Anderson swore Antonio Scalise, certified architect from Parallel Architecture, in.

Antonio Scalise showed the renderings of the project. He explained the height of the pergola is 9'8.5".

Chair Cummings commented if you can take off a few extra square feet you could still get the same look.

Mrs. Jannarone made a motion to approve the application, seconded by Commissioner Simhon.

Moved by: Mrs. Jannarone

Seconded by: Commissioner Simhon

#### ROLL CALL VOTE

Ayes: Mrs. Jannarone, Chair Cummings, Commissioner Simhon, Mayor Cohen, Mr. Kassin

Nays: None

Absent: Mr. Antebi, Mrs. M Cohen, Mrs. N Cohen, Mrs. Mamiye, Mr. Zeevi, Vice Chair J. Cohen

Those Not Voting: None

There being no further business, a motion to adjourn was made at 9:12 P.M. by Chair Cummings, seconded by Commissioner Simhon, and moved unanimously by all members present.

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Stephen Carasia  
Board Secretary