

BOROUGH OF DEAL

PLANNING BOARD/BOARD OF ADJUSTMENT MINUTES

September 24, 2024

The regular meeting of the Planning Board/Board of Adjustment of the Borough of Deal was called to order by Chairman Richard Cummings at 7:30 pm. 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: Chairman Cummings, Mrs. Jannarone, Commissioner Simhon, Ms. Nitka, Mr. Dweck,  
Mandy Cohen (arrived at 7:36)

Absent: Joseph Cohen, Mayor Sam Cohen, Nicole Cohen, Mr. Zeevi, Mr. Antebi

**MINUTES**

A motion was made to approve the minutes of the August 27, 2024 Regular Planning Board Meeting.

MOVED BY: Commissioner Simhon

SECONDED BY: Mrs. Jannarone

By voice vote the August 27, 2024 Minutes were approved.

**RESOLUTIONS:**

#9-24-2024-1 11 Marine Place

MOVED BY: Chairman Cummings

SECONDED BY: Commissioner Simhon

Roll call vote:

Ayes: Mrs. Jannarone, Chairman Cummings, Commissioner Simhon

Nays: None

Abstain: Ms. Nitka, Mr. Dweck

**APPLICATIONS:**

**19 Morgan Avenue – (FRANCO)**

Notice was reviewed and deemed sufficient. The Board has jurisdiction to hear the application.

The following exhibits were submitted for the Board’s review: A-1 Application dated 8/28/2024; A-2 Survey dated 7/11/2024; A-3 Architectural Plans dated 7/16/2024; A-4 Notice; B-1 Leon S. Avakian Technical Review dated 9/19/2024

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant placed her appearance on the record. Ms. Krimko stated according to Borough Ordinance provisions the proposal needs to be reviewed by the Planning Board because this is an undersized lot and the existing building is nonconforming. The application is for a conforming

attic addition with dormers. The existing nonconformities and height of the structure will not be altered.

Chairman Cummings opened the application for public questions and/or comments. There being none, the public portion was closed.

After deliberations, Chairman Cummings made a Motion to approve the application; Seconded by Commissioner Simhon.

Roll call vote:

Ayes: Mrs. Jannarone, Chairman Cummings, Commissioner Simhon, Mr. Dweck, Ms. Nitka

Nays: None

### **9 Wallace Road – (8 Wallace, LLC)**

The following exhibits were submitted for the Board's review: A-1 Extension request dated 9/6/2024; A-2 Original Resolution dated 9/2/2020; A-3 Resolution granting first six-month extension dated 5/4/2022; A-4 Notice

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant placed her appearance on the record. Ms. Krimko stated this application received approval in 2020 and two six-month extensions have already been granted through 2022. The ordinance has been amended to grant further extensions. Due to personal and financial reasons the project was never started. The plans remain as previously approved.

Board Members expressed concern with the current sitting Members having no knowledge of the original proposal voting for an extension.

Chairman Cummings opened the application for public comments. Abraham Safdieh residing at 24 Monmouth Terrace and principle with the LLC owner of 15 Wallace Road stated he received the notice and would request additional time to perform due diligence on the approved proposal. Mr. Anderson advised the opportunity to object to the variances that were approved occurred at the original hearing of the matter. The items before the Board are has the zoning changed, have the plans changed and is there good cause to grant the extension. There is no substance being considered.

There being no further public comments, the public comment portion was closed.

After deliberations, Chairman Cummings made a Motion to grant the six-month extension; Seconded by Mrs. Jannarone.

Roll call vote:

Ayes: Mandy Cohen, Ms. Nitka, Mr. Dweck, Commissioner Simhon, Chairman Cummings,

Mrs. Jannarone

Nays: None

After review, Commissioner Simhon made a Motion to approve Resolution #9-24-2024 (2); Seconded by Chairman Cummings.

Roll call vote:

Ayes: Mrs. Jannarone, Chairman Cummings, Commissioner Simhon, Mr. Dweck, Ms. Nitka,

Mandy Cohen

Nays: None

There being no further business before the Board Motion was made and seconded to adjourn at approximately 8:00 pm.

The next regularly scheduled meeting will be held on October 29, 2024 at 7:30 pm.

Respectfully submitted,

Michele A. MacPherson

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