BOROUGH OF DEAL

PLANNING BOARD MINUTES

January 28, 2025

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: Richard Cummings, Joseph Cohen, Mayor Sam Cohen, Commissioner Simhon, Ms. Nitka

Absent: Mrs. Jannarone, Mandy Cohen, Nicole Cohen, Mr. Zeevi, Mr. Antebi, Mr. Dweck, Mr. Setton

MINUTES

A motion was made to approve the minutes of the December 5, 2024 Regular Planning Board Meeting.

MOVED BY: Mayor Cohen SECONDED BY: Chairman Cummings

By voice vote the December 5, 2024 Minutes were approved with Commissioner Simhon abstaining from the vote.

CORRESPONDENCE:

A letter was received from Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing 18 Deal Esplande requesting the Deed be signed prior to the demolition of structure.

Mayor Cohen made a Motion to grant the request; Seconded by Mr. Cummings.

Roll call vote:

Ayes: Mr. Cummings, Mayor Cohen, Joseph Cohen, Ms. Nitka, Commissioner Simhon

Nays: None.

RESOLUTIONS:

#1-28-2025 (1) Elect Richard Cummings as 2025 Chairman of the Planning Board.

MOVED BY: Mayor Cohen SECONDED BY: Commissioner Simhon

By voice vote Resolution was approved with Mr. Cummings abstaining from the vote.

#1-28-2025 (2) Elect Joseph Cohen as 2025 Vice Chairman of the Planning Board.

MOVED BY: Mayor Cohen SECONDED BY: Commissioner Simhon

By voice vote Resolution was approved with Joseph Cohen abstaining from the vote.

#1-28-2025 (3) Appointing Kelly Barrett as the 2025 Planning Board Secretary

MOVED BY: Mayor Cohen SECONDED BY: Chairman Cummings

#1-28-2025 (4) Appointing Eric Anderson, Esquire as the 2025 Planning Board Attorney

MOVED BY: Mayor Cohen SECONDED BY: Commissioner Simhon

By voice vote Resolution was approved.

#1-28-2025 (5) Appointing Leon S. Avakian as 2025 Planning Board Engineer

MOVED BY: Mayor Cohen SECONDED BY: Chairman Cummings

By voice vote Resolution was approved.

#1-28-2025 (6) Establishing The Asbury Park Press and The Coaster as the official newspapers

MOVED BY: Joseph Cohen SECONDED BY: Mayor Cohen

By voice vote Resolution was approved.

#1-28-2025 (7) Approving the 2025 Meeting Dates

MOVED BY: Chairman Cummings SECONDED BY: Mayor Cohen

By voice vote the 2025 meeting schedule was approved.

#1-28-2025 (8) Approving the application for property located at 56 Hathaway Avenue

MOVED BY: Chairman Cummings SECONDED BY: Mayor Cohen

ROLL CALL VOTE:

Ayes: Chairman Cummings, Joseph Cohen, Mayor Cohen, Ms. Nitka

Nays: None

Abstain: Commissioner Simhon

#1-28-2025 (9) Approving the extension of time for property located at 129 Phillips Avenue

MOVED BY: Chairman Cummings SECONDED BY: Mayor Cohen

ROLL CALL VOTE:

Ayes: Chairman Cummings, Joseph Cohen, Mayor Cohen, Ms. Nitka

Nays: None

ANNOUNCEMENTS:

The application for **102 Monmouth Drive** will not heard this evening. The application will be carried to **February 25, 2025** Planning Board Meeting at 7:30 pm no further notice is required.

APPLICATIONS:

86 Neptune Avenue (Dweck)

The Board is in receipt of the following exhibits: A-1 Application; A-2 Survey; A-3 Pool, Deck, Site and Grading Plans dated 10/19/2024; A-4 Architectural Plans dated 12/12/2024; A-5 Pool, Deck, Site and Grading Plans revised dated 01/15/2025; A-6 Notice; B-1 Technical Review letter dated 01/13/2025

Elaine Dweck, the property owner, was sworn in. Mrs. Dweck gave her family's history in Deal and the rationale for the proposal. Mrs. Dweck introduced Daniel Molin, a New Jersey licensed architect. Mr. Molin was sworn in, and the Board accepted his credentials.

Mr. Molin described existing conditions at the subject premises. The wooden deck, existing shed and part of the driveway will be removed. The proposal is for a new 12' by 24' in-ground pool and a small deck allowing access to the house and stairs. The variance relief is being sought for the proposed 50.4 percent impervious coverage. The existing impervious coverage is 66.56 percent, and 40 percent is permitted. The permitted side yard setback is 30 feet, and 13 feet is proposed.

Board Members expressed concerns with the size of the pool and the location of the pool equipment on a narrow lot impacting neighboring property and the amount of impervious coverage proposed.

The testimony was opened for public questions. There being none, the public portion was closed.

Scott Lynn was sworn in, and the Board accepted his credentials. Mr. Lynn testified regarding the proposed reduction in impervious coverage and stated that the pool surface area does act as

free board and does hold water until it overflows. Mr. Lynn stated a drywell can be installed to handle the runoff from the pool as proposed.

The testimony was opened for public questions and/or comments. There being none, the public portion was closed.

The applicant requested the application be carried to the next available meeting. The application will be carried to the February 25, 2025 Meeting at 7:30 pm without further notice required, and the applicant agrees to an extension to time for action to be taken.

There being no further business before the Board Motion was made and Seconded to adjourn at approximately 8:20 pm.

The next regularly scheduled meeting will be held on February 25, 2025 at 7:30 pm.

Respectfully submitted,

Michele A. MacPherson

State Shorthand Reporting Services, Inc.