BOROUGH OF DEAL

PLANNING BOARD MINUTES

May 27, 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 28, 2025 at 7:30 P.M. at 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

Present: Commissioner Simhon, Mrs. Jannarone, Mr. Antebi, Ms. Tawil, Mr. Dwek

Absent: Chairman Cummings, Mayor Cohen, Joseph Cohen, Mandy Cohen, Nicole Cohen, Mrs. Nitka, Mr. Setton

RESOLUTIONS:

A motion was made to approve Resolution #5-27-2025(1) for property located at 55 Lawrence Avenue.

MOVED BY: Commissioner Simhon SECONDED BY: Mr. Antebi

Roll call vote:

Ayes: Ms. Tawil, Mr. Antebi, Commissioner Simhon

Nays: None

Abstain: Mrs. Jannarone, Mr. Dweck

A motion was made to approve Resolution #5-27-2025(2) for property located at 48 Pleasant Place.

MOVED BY: Commissioner Simhon SECONDED BY: Mr. Antebi

Roll call vote:

Ayes: Ms. Tawil, Mr. Antebi, Commissioner Simhon

Nays: None

Abstain: Mrs. Jannarone, Mr. Dweck

A motion was made to approve Resolution #5-27-2025(3) for the Edward J. Safra Synagogue of Deal property.

MOVED BY: Commissioner Simhon SECONDED BY: Mr. Antebi

Roll call vote:

Ayes: Ms. Tawil, Commissioner Simhon, Mr. Antebi

Nays: None

Abstain: Mrs. Jannarone, Mr. Dweck

MINUTES

A motion was made to approve the April 8, 2025 Regular Planning Board Meeting Minutes.

MOVED BY: Commissioner Simhon SECONDED BY: Mr. Antebi

By voice vote the April 8, 2025 Minutes were approved with Mrs. Jannarone and Mr. Dweck abstaining from the vote.

CORRESPONDENCE:

Mr. Anderson reviewed a correction to the Perfect Deed of Subdivision that was approved on 3/23/23.

The Board also reviewed the Resolution for the Municipal Public Access Plan review for consistency with the Master Plan of the Borough of Deal.

Mr. Antebi made a motion was made to deem the Municipal Public Access Plan as being consistent with the Borough of Deal Master Plan; Seconded by Commissioner Simhon.

Roll call vote:

Ayes: Mr. Antebi, Commissioner Simhon

Nays: None

Abstain: Mrs. Jannarone, Mr. Dweck, Ms. Tawil

ANNOUNCEMENTS:

The application 72 Brighton, L.L.C. for property located at 72 Brighton Avenue will be carried to the June 24, 2025 Meeting of the Planning Board via ZOOM at 7:30 pm without further notice required.

APPLICATIONS:

102 Monmouth Drive (RH Shamah Trust)

The Board is in receipt of the following exhibits: A-1 Application dated 8/30/2024; A-2 Survey dated 5/23/2024; A-3 Plot Plan last revised 2/7/2025; A-4 Architectural Plans last revised 1/29/2025; A-5 Notice and Publication; B-1 Technical Review dated 2/21/2025, B-2 Photograph taken by Commissioner Simhon

Jennifer S. Krimko, Esquire from the Ansell, Grimm and Aaron law firm representing the applicant addressed the Board.

Ronald S. Gasiorowski, Esquire representing objector Gindi placed his appearance on the record.

Ms. Krimko submitted A-6 Existing Conditions Aerial prepared by InSite Engineering dated 5/27/2025; A-7 Proposed Conditions Plan and A-8 Neighborhood Exhibit.

Ms. Krimko introduced Patrick Ward, a New Jersey licensed engineer and planner. Mr. Ward was sworn in, and the Board accepted his credentials.

Mr. Ward explained the existing conditions at the subject premises. The lot is undersized and oddly shaped in between Monmouth Drive and Atlantic Avenue. The proposal is for a modest rear addition to make the house more habitable, relocating a rear deck and enclosing the sunroom. The existing driveway will be reduced by approximately 150 square feet to conform, and the shed will be removed. The second-floor addition will be cantilevered over the rear deck.

Mr. Gasiorowski reviewed with Mr. Ward the existing and requested variances; and the impacts on his client's property. Mr. Gasiorowski asked for clarification on the exacerbation of nonconformities associated with the property.

Ms. Krimko elicited further clarification of Mr. Ward's testimony. Mr. Gasiorowski inquired regarding Mr. Ward's knowledge of the history of the property.

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

Ms. Krimko introduced Ronald Kacmarsky, a New Jersey licensed architect. Mr. Kacmarsky was sworn in, and the Board accepted his credentials. Mr. Kacmarsky described the existing conditions at the subject property, the interior floor plans and the proposed exterior architectural details and materials.

Mr. Gasiorowski asked whether it would possible to design a completely conforming home. Mr. Kacmarsky stated the building coverage would be challenging and was not the assignment. Mr. Gasiorowski asked for the total number of bedrooms in the home. Mr. Kacmarsky stated there will be two new bedrooms for a total of eight.

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

Ms. Krimko recalled Mr. Ward. Mr. Ward testified that all the requested variances can be analyzed under the C-1 hardship criteria. The hardship is that due to limitations of the lot there's practical difficulty to comply with the Borough's ordinances. The lot is exceptionally under size, narrow, shallow and irregularly shaped for the R-2 Zone district.

Mr. Ward described the surrounding neighborhood properties. The application is proposing small additions that work well within the current architecture of the home and the layout and the lot. Under the C-2 criteria the application is furthering the purposes of the MLUL; i.e. appropriate use and development, improves light, air and open space, promotes green space and desire visual environment.

A brief recess is taken.

Ms. Krimko requested the application be carried to the next available Planning Board Meeting in order to submit additional exhibits.

The application is **carried to the July 22, 2025 in person at 7:30 p.m.** without further notice required.

There being no further business before the Board Motion was made and Seconded to adjourn at approximately 8:50 pm.

The next regularly scheduled meeting will be **held via ZOOM on June 24, 2025 at 7:30 pm.**

Respectfully submitted,

Michele A. MacPherson

State Shorthand Reporting Services, Inc.