

## PLANNING BOARD

**JULY 18, 2022**

PRESENT: Tony Almeida, Rick Meyer, Ted Protonentis, Jay McDermott, William Lindsay, Bob Forte, Lou Fierro and Tom Carvelli

ABSENT: Kathleen West AND Mike DeBlasio

ALSO, PRESENT: Board Attorney Doug Kovats, Esq., and Board Secretary April Claudio

At approximately 7:00 p.m. the secretary stated that adequate notice of this meeting of the Planning Board was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on May 17, 2022 and by posting a copy of said notice at the Municipal Complex on the same date.

Workshop: Mr. Kovats gave a brief explanation of the application on the agenda.

Mr. Meyer made a motion to waive the reading and approve the minutes of the June 1, 2022 meeting, which was seconded by Mr. Protonentis and approved by the following vote:

AYES: Mr. Meyer, Mr. Protonentis, Mr. Carvelli, Mr. McDermott, Mr. Lindsay, Mr. Forte

NAYS:

ABSTAIN: Mr. Almeida and Mr. Fierro

Mr. Carvelli made a motion to waive the reading and approve the resolution for Hazel Boutique, 1202 Main Street, which was seconded by Mr. Protonentis and approved by the following vote:

AYES: Mr. Meyer, Mr. Protonentis, Mr. Carvelli, Mr. McDermott, Mr. Lindsay, Mr. Forte

NAYS:

ABSTAIN: Mr. Almeida and Mr. Fierro

The continuation of the Newman application for 807-809 11<sup>th</sup> Avenue has been postponed to the August 22, 2022 meeting.

### DOWN TO EARTH CONSTRUCTION LLC – 414 9<sup>TH</sup> AVENUE

Appearing for this application was attorney William Shipers, architect Mary Hearn, engineer, Bill Morocca, and owner William Merkler. Application is for a minor subdivision of three lots. Mr. Shipers stated he was approached by a neighbor who is an adjacent land owner and asked for a few minutes to speak to his client.

7:12 pm the Board took a recess. Board reconvened at 7:42 pm. Roll call was taken. All were still present.

Mr. Shipers explained Mr. O'Connor and Mr. Carleen own property that abuts the rear of the proposed subdivision. The existing property to be subdivided was 150x150 when his client purchased it. Mr. O'Connor retained an attorney and litigated an adverse possession claim. The court granted it to Mr. O'Connor. Mr. Carleen has since come forward and believes he is entitled to additional land as well. Mr. Shipers asked to proceed with the application before the Board and will work out the issue with Mr. Carleen at a later date.

At 7:51 pm, Mr. Lindsay made a motion to go into Executive Session, which was seconded by Mr. Carvelli and approved unanimously.

At 8:03 pm the Board reconvened in public. Roll call was taken. All were still present.

Mr. Kovats advised the Board and Mr. Shipers that is his recommendation that the Board not proceed with the application at this time. He suggested Mr. Shipers work out the boundary issues with the neighbor and submit revised plans so the Board is clear what they would be voting on. He said a revised notice may also be required given the variances being requested may change as a result of the new plans.

Mr. McDermott stated the Board agrees with Mr. Kovats's suggestion.

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Mr. Shipers agreed to extend the application and waive any time requirements.

Public: Bruce Blattner, 407 9<sup>th</sup> Avenue, stated he hopes the Board will approve the application.

Ms. Claudio stated the next meeting will be August 22<sup>nd</sup> not the 15<sup>th</sup>.

The Board decided that given the amount of time that has passed the Newman application will be required to renotice for a meeting once the revised plans are submitted.

Mr. Protonentis made a motion to adjourn the meeting, which was seconded by Mr. Lindsay and approved unanimously.