

ZONING BOARD OF ADJUSTMENT

MAY 23, 2018

PRESENT: Michelle Casserly, Philip Greig, John Lisko, Judy Young, Chuck Ross and Manny Fowler

ABSENT: Robert Cupoli, John Hutchinson, Mark Fitzgerald and Zoning Officer Ted Bianchi

ASLO PRESENT: Board Attorney Kevin Kennedy, Esq. and Board Secretary April Claudio

The secretary stated that adequate notice of this special meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on May 15, 2018 and by posting a copy of said notice at the Municipal Complex on the same date.

There were two applications on the agenda:

1. Edelman Investment Group LLC, 112-114 12th Avenue
2. 109 12th Avenue Inc. and Belmar A & Belmar B 10712 Realty LLC, 105-107-109 12th Avenue

Mr. Kennedy stated both applications require “use” and/or “D” variances which require enhanced standards in order to be approved. One of which is the requirement of five affirmative yes votes. The applicant is entitled to have seven board members present, there are only six present because Mr. Cupoli had a last-minute emergency and two other Board members had previously been scheduled to not attend. The applicant could request the applications be carried to another meeting.

William Shipers, attorney for both applications, stated he has the right to have seven board members and thinks it’s fair for everyone.

Mr. Kennedy asked if anyone from the public had any issues with the notices.

Jim Agnello, 115 and 117 11th Avenue, stated he did not receive a notice.

Arlene Neppel, 1100 A Street, stated she did not receive a notice.

Beth Mane, 308 12th Avenue, asked how everyone will be notified of a new meeting date.

Mr. Kennedy stated they will announce the new date right now which will be the notice. He added that we will check to see if Mr. Agnello and Ms. Neppel were on the 200 ft. list and Mr. Shipers will check as well.

Ms. Claudio announced the next meeting date is June 28th. Mr. Kennedy then announced to the public the applications would be heard at June 28, 2018 at 7 pm.

Ms. Mane stated she thinks they should have to re-notice via certified mail. Mr. Kennedy stated the Board cannot require them to do so.

Ms. Young made a motion to carry the application of 112-114 12th Avenue to June 28, 2018, which was seconded by Mr. Fowler and approved unanimously.

Juan Gonzalez, 208 ½ 14th Avenue, asked to speak. He asked if the 200 ft notification area is adjustable for larger scale projects. Mr. Kennedy replied no, it’s a state law.

Mr. Lisko made a motion to carry the application of 105,107,109 12th Avenue, which was seconded by Ms. Young and approved unanimously.

Mr. Shipers stated he has his architect and engineer present and since there is a lot of members of the public in attendance he would be willing to stay for an hour to listen to concerns and questions. However, it has to be a civil conversation, no arguments.

Mr. Kennedy stated everyone could stay to speak with Mr. Shipers, except the Board Members. He also advised the public that anything they to Mr. Shipers will not be heard by the Board and not part of the public record so they would still have to come to the June 28th meeting if they want to be heard by the Board.

Mr. Greig made a motion to adjourn the meeting, which was seconded by Ms. Casserly and approved unanimously.