

ZONING BOARD OF ADJUSTMENT
MARCH 25, 2021

PRESENT: Chuck Ross, Phil Greig (7:30 pm), Mike Melango, Mark Fitzgerald, Holly Deitz, John Hutchinson, Annemarie Drazenovich and John Lisko (7:30 pm)

ABSENT: Robert Cupoli, Tom Palmisano, and Michael Druz

ALSO, PRESENT: Board Attorney Kevin Kennedy, Board Secretary April Claudio and Zoning Official Ted Bianchi

The secretary stated that adequate notice of this meeting of the Zoning Board of Adjustment was sent by email to our official newspapers, the Coast Star and the Asbury Park Press on January 4, 2021 by posting a copy of said notice at the Municipal Complex on the same date.

Mr. Fitzgerald made a motion to waive the reading and approve the minutes of the February 25, 2021 meeting, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Fitzgerald, Ms. Deitz, Mr. Hutchinson, Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Ross and Mr. Melango

Ms. Deitz made a motion to waive the reading and approve the resolution granting approvals to Tony Almeida, 419 10th Avenue, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Mr. Fitzgerald, Ms. Deitz, Mr. Hutchinson, Ms. Drazenovich, Mr. Ross and Mr. Melango

NAYS:

Mr. Melango made a motion to waive the reading and approve the resolution granting approvals to Keith and Katherine Henning, 1707 Surf Avenue, which was seconded by Ms. Deitz and approved by the following vote:

AYES: Mr. Fitzgerald, Mr. Melango, Ms. Deitz, Mr. Hutchinson, Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Ross

Mr. Hutchinson made a motion to waive the reading and approve the resolution granting approvals to Allison Gerard, 100 20th Avenue, which was seconded by Ms. Deitz and approved by the following vote:

AYES: Ms. Deitz, Mr. Hutchinson, and Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Ross and Mr. Melango

Ms. Deitz made a motion to waive the reading and approve the resolution granting approvals to Joseph Custode, 313 14th Avenue, which was seconded by Mr. Hutchinson and approved by the following vote:

AYES: Ms. Deitz, Mr. Hutchinson, and Ms. Drazenovich

NAYS:

ABSTAIN: Mr. Ross and Mr. Melango

Ms. Claudio announced the application for Roseann Weeden, 315 12th Avenue has been postponed to May 27th and she will re-notice.

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LARRY & BARBARA DEBIANCHI – 1808 B STREET

Appearing for this application was Mr. DeBianchi, his builder Concetta Alvarez and his architect Jose Santos. Exhibits were marked: A1 revised minor land use application and board development application, A2 setback location plan and A3 architectural plans.

Mr. DeBianchi stated he has owned the property for five years and it is a single-family home used as their summer house.

Mr. Fitzgerald expressed concern about confusion with the application, specifically if the garage was staying or not. Ms. Alvarez stated they are asking for a building coverage variance so they can keep the garage. She clarified the application is to also extend the existing front porch in the same footprint and enclose a portion of it. Mr. Fitzgerald felt more details were required on the plans as well as porch elevations.

Mr. Bianchi asked about a screened porch. Ms. Alvarez stated that was removed. He asked about the gravel. She stated it is still there.

The Board determined more detailed plans were required.

Ms. Fitzgerald made a motion to carry the application to the April 22nd meeting, without re-noticing, which was seconded by Mr. Melango and approved unanimously.

NEW YORK SMSA LIMITED PARTERSNHIP D/B/A VERIZON WIRELESS – 1715 OCEAN AVENUE

Ms. Claudio stated Ms. Deitz signed an affidavit that she watched all of the previous meetings and is eligible to vote on this application. Mr. Greig and Ms. Drazenovich have not watched them.

Appearing for this application was attorney, Rich DeLucry, RF Engineer Michael Website, Site Acquisition Specialist Joe Oats, Engineer Colleen Connolly, Tim Kronk, Warren Stillwell and Kiyanna Ingram.

Mr. Oates explained the various sites around town that will not work for the project.

Ms. Connolly stated 1715 Ocean Avenue is capable of supporting the antennas. Another company could no collocate unless they go onto another portion of the building because Verizon is occupying the whole roof. The two antennas will be 7ft. from the roof to the top of the antenna. The equipment will be screened.

Mr. Webster explained the nodes project along Ocean Avenue will provide for the Beach. Their proposal complies with FCC regulations for level of exposure permitted by law.

Mr. Fitzgerald asked what happens if the building sells. Mr. DeLucry explained if that happens during the term of the lease the buyer and seller negotiate the terms. Mr. Fitzgerald asked what the positive criteria is to grant this application. He was concerned the owner could collect the rent from Verizon and let the building deteriorate and it could never become residential.

Mr. Ross asked what color would be used to hide the equipment. Ms. Connolly replied beige, to match the building.

Mr. Hutchinson asked about exposure and was concerned about other companies wanting to collocate. Mr. DeLucry stated there is not enough space for collocation. Mr. Kennedy explained the collocation statute.

Mr. Lisko asked what the average payment is on lease, but Mr. DeLucry would not provide that information.

Ms. Deitz asked what would happen if the Board votes no. Mr. Kennedy explained the federal regulations.

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Ms. Drazenovich asked if the house next to Mama Luke's is a safe distance away. Mr. Webster stated the minimum distance to residential is not regulated but the RF output is, and they are in compliance. The antenna will radiate north east.

Public: Angela Petillo, 100 18th Avenue, house right behind it. She agreed with the Board's comments at both meetings. Agreed with the concerns about the owner not maintaining the building. Felt there is no benefit to the residents, and it will forever be a commercial use.

Linda Sharkus, 4th Avenue, asked about coverage and existing sites. She felt this was not a good building to choose.

At 9:20 p.m. the Board took a brief recess. The Board reconvened at 9:30 p.m. All Board members were still present.

Paul Elia, 106 19th Avenue, agreed with Ms. Petillo. He was concerned about long term health issues and noise.

Mike Gratale, 100 17th Avenue, agreed with Ms. Petillo. There is no benefit to the town only to the owner.

Gene Creamer, 4th Avenue, asked if the site is reliable on JCP&L. Ms. Connolly stated there will be a generator on site.

Michael Hackett, 110 19th Avenue, was concerned about safety and the building becoming dilapidated.

George Catrambone, 103 19th Avenue, thanked the Board for their comments. Felt Verizon's responses were weak. There is no benefit to this. He was concerned about his health and letting a residential area become full of towers.

Matt Ranieri, 107 19th Avenue, was concerned about health issues and there being no guarantee of no health risk.

Mr. Webster state the emission are not more than 3% which is allowed by the FCC.

Marianne Ranieri, 107 19th Avenue, was concerned about the effects of 5G since there are any studies on it yet. She felt it only benefits Verizon customers for 2-3 months out of the year not the full-time residents.

Mr. DeLucry stated the benefits of improved service will be year-round.

Venus Ranieri, 107 19th Avenue, stated 5G is very new and health issues have not been defined. She stated the RF regulations have not been updated since 1996.

Given the late hour, the Board discussed continuing the application at the April or May meetings. Mr. Lisko made a motion to carry the application to the April 22nd meeting without the need for re-notice, which was seconded by Mr. Greig and approved unanimously.

Ms. Claudio stated she received a letter from Len Forsyth of 1599 Maplewood Road requesting a two-year extension on his approvals. The board unanimously voted to give a one-year extension until May 2023.

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