

**BOROUGH OF HARVEY CEDARS
LAND USE BOARD**

Regular Meeting – Minutes
November 17, 2022

The regular meeting of the Land Use Board of the Borough of Harvey Cedars was held in the meeting room of Borough Hall on the above date.

The meeting was called to order by **Chairman Robert Romano** at 07:02 PM.

Chairman Robert Romano made the following announcement: “This is the regular meeting of the Harvey Cedars Land Use Board, notice of which was duly posted on the Bulletin Board in the Municipal Clerk’s office, advertised in the Beach Haven Times and Asbury Park Press, and filed with the Municipal Clerk as required by the Open Public Meeting Act. This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

Members of the Board present: **Mark Simmons, Bill Montag, Robert Romano, Mayor Jonathan Oldham, Commissioner John Imperiale, and Craig Coddington**

Members of the Board absent: **John Tilton, Tony Aukstikalnis, and Kathy Sheplin**

Alternate members of the Board present: **Mindy Berman and Richard Warren**

Alternate members of the Board absent: **None**

Also present were the following: **Kevin Quinlan Esq., Frank Little P.E., and Anna Grimste Zoning Officer**

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Application: 2022:07 – 7 W. Cumberland Avenue – Patricia Schiavone

The following was entered into evidence:

A1 – Application

A2 – Variance Plan prepared by Horn, Tyson, and Yoder

A3 – 5 Color Photographs

B1 – Engineer Review Letter prepared by Frank Little, P.E.

Mark Rinaldi with **Singley, Gindele, and Rinaldi** was sworn in. **Mr. Rinaldi** is representing the applicant, **Patricia Schiavone**.

Patricia Schiavone the applicant was sworn in. The applicant is currently in the process of selling the home. She explained interested buyers are inquiring what type of home could be built on the property. After working with architects, it was determined that future new construction would be “long and skinny” due to the setback requirements on the property. **Ms. Schiavone** explained that her realtor suggested seeking the variance prior to selling the home. **Mark Rinaldi** added that the setback issues are due to the property being a flag lot.

Craig Coddington asked for clarification on the issues the potential buyers are running into and why the home is being viewed as a tear-down. **Patricia Schiavone** explained that the positioning of the property forces the potential new home to be one room wide. She added that the home is one of the smaller and older homes.

James Brzozowski with **Horn, Tyson, and Yoder** was sworn in. **Mr. Brzozowski** gave an overview of the property and the two variances requested. The property is located on the northside of Cumberland Avenue and is accessed by a 15ft driveway. Due to the determination of the front yard being located adjacent to Cumberland Avenue, variances for front yard setbacks are required. Variances being requested are for a front yard setback of 10ft where 20ft is required and a front yard setback of 10ft from stairs/open deck where 15ft is required.

Mayor Jonathan Oldham shared that in other applications that contained a flag lot, the board has requested that applicants keep the access area clear of vegetation and obstructions for emergency access. He asked if that can be added as a condition. **Mark Rinaldi** confirmed that the applicant would not object to that request. **Kevin Quinlan Esq.** added that this can be done through the deed restriction.

Public portion was opened.

Vincent Specht – 5604 Holly Avenue – was sworn in. **Mr. Specht** is in favor of granting the variance.

David Butler - 5 W. Cumberland Avenue – was sworn in. **Mr. Butler** welcomes the variance and believes it would be an improvement in the neighborhood.

Public portion was closed.

Mayor Jonathan Oldham made a motion to approve the application, seconded by **Mark Simmons**. The following vote was recorded: **Commissioner John Imperiale, Mark Simmons, Bill Montag, Robert Romano, Mayor Jonathan Oldham, Craig Coddington, Mindy Berman, and Richard Warren** all voted **Yes** to approve the application.

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Resolution: 2022:07 – 7 W. Cumberland Avenue – Patricia Schiavone

Kevin Quinlan Esq. read the resolution into record.

Commissioner John Imperiale made a motion to approve the resolution, seconded by **Mindy Berman**. The following vote was recorded: **Commissioner John Imperiale, Mark Simmons, Bill Montag, Robert Romano, Mayor Jonathan Oldham, Craig Coddington, Mindy Berman, and Richard Warren** all voted **Yes** to approve the resolution.

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Approval of Minutes – July 21, 2022

Craig Coddington made a motion to approve the minutes, seconded by **Commissioner John Imperiale** The following vote was recorded: **Commissioner John Imperiale, Robert Romano, Mayor Jonathan Oldham, Craig Coddington, and Richard Warren** all voted **Yes** to approve the minutes of the regular meeting of July 21, 2022.

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The board was presented with the dates for the 2023 meeting schedule. With no objections the meeting dates will be published. The Harvey Cedars Land Use Board will hold its annual reorganization meeting on January 5th at 4:30PM in the meeting room of Borough Hall.

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At 7:42PM the meeting was adjourned.

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Christine Lisiewski, Secretary