

MINUTES
ISLAND HEIGHTS PLANNING BOARD – October 10, 2019

The regular meeting of the Island Heights Planning Board was called to order by Chairperson Noble at approximately 7pm. Following the flag salute roll call was taken and present were William Noble, Bob MacNeal, Lynn Pendleton, Robert Baxter, Don Roberts, Frank Parisi, Karen Kier, Frank Wetta, Andrew Parks and Terry Brady. Absent: Jon Brodbeck, Joe Connors.

Motion to approve of the minutes from the September 12, 2019 meeting minutes was made by Mr. Nobel.

Roll Call Vote:

Mr. Noble	Yes	Mr. Connors	Absent
Mr. Parks	Yes	Mr. MacNeal	Yes
Mr. Baxter	Yes	Mr. Roberts	Yes
Mr. Brodbeck	Absent	Mr. Wetta	Yes
Mr. Parisi	Yes	Ms. Kier	Yes
		Ms. Pendleton	Yes

Motion to Memorialize Resolution of Application for Sabey, Block 28, Lot 6, was made by Mr. MacNeal. Seconded by Ms. Pendleton.

Roll Call Vote:

Mr. Noble	Yes	Mr. Connors	Absent
Mr. Parks	N/E	Mr. MacNeal	Yes
Mr. Baxter	Yes	Mr. Roberts	Yes
Mr. Brodbeck	Absent	Mr. Wetta	Yes
Mr. Parisi	N/E	Ms. Kier	Abstain
		Ms. Pendleton	Yes

Motion to Memorialize Resolution of John Bendel, was made by Ms. Pendleton, seconded by Mr. Roberts.

Roll Call Vote:

Mr. Noble	Yes	Mr. Connors	Absent
Mr. Parks	N/E	Mr. MacNeal	Yes
Mr. Baxter	Yes	Mr. Roberts	Yes
Mr. Brodbeck	Absent	Mr. Wetta	Yes
Mr. Parisi	N/E	Ms. Kier	Yes
		Ms. Pendleton	Yes

Variance – Block, Lot 7, Lots 2 & 6

Mr. Brady gave a brief explanation of this case which was heard in 2018. It was denied and is back here because the court deemed the audio inaudible and determined that it should be heard again.

A court reporter was present at this case to make sure that the audio was not an issue.

Mr. Harvey York, attorney for the applicant began his case. He began citing cases that the superior court had deemed that other Planning Boards had to comply with. Mr. Noble voiced his concern that no paperwork was given to this board to review these past cases. Mr. MacNeal stated that Mr. York gave a lot of legal information with no information given to the board to review and not enough time to review it.

Mr. York asked that the matter be carried to the next meeting so that Mr. Brady would have time to get more information on these cases to the board to review, and that we should move on the second part of the application. A 5-minute recess was taken, and the board determined that Mr. Brady would get more information to the board to review these cases and would have it for the next meeting where this part of the case would be looked at again.

Louis Scheidt from Morgan Engineering was sworn in. He listed his credentials. Exhibits were entered into evidence by the court reporter.

Mr. Scheidt went on to explain that the Garage on lot 2 will be demolished. No variance requested for that. Lot 6 has an existing structure. Lot 2 has the garage, which will come down, and a new structure will be built.

Barbara Allen Wooley Dillon, professional planner was sworn in. She listed her credentials.

Went on to explain that this application meets the purposes of the town zoning. And that the proposed dwellings meet the town aesthetics and character. She also stated that the proposed division is consistent with the current land ordinance.

Public Comment:

Jacob Reggiec from 17 Chestnut Ave. was sworn in. He stated that he has lived in his home for 45 years and his home is adjacent to the applicant's property. He stated that his house is close to the property line and if this variance is granted, he will be so close to the new dwelling, he could probably touch it from his window.

Helene McMullan from 8 Ocean was sworn in. She stated that the area is already congested and is concerned about flooding which is a problem on River Ave already. She feels that variances should be only be given to rectify a hardship and she feels that by granting this variance, it only helps the applicant gain money if he were to sell, which is not a hardship.

Mary Dzioba – 103 Chestnut Ave. Questioned whether the property would be sold as on property with 2 dwellings, or as 2 separate properties.

Mr. York gave his summation. He said that there is no adverse impact on granting the variance. And that the property would only be .78 feet less than the 8-foot setback.

Mr. Brady moved that we adjourn this case until the 11/14/2019 meeting. He will provide information to the board and will submit a legal brief.

Motion to Adjourn this case until the 11/14/2019 meeting was made by Lynn Pendleton and seconded by Mr. MacNeal. Unanimous voice vote.

Motion to adjourn the meeting at 8:30pm was made by Mr. Noble. Unanimous Voice Vote.

Respectfully Submitted by Kristen M. Rocco