

BOROUGH OF ISLAND HEIGHTS

PLANNING BOARD

REGULAR MEETING MINUTES

DECEMBER 9, 2021 – 7:00 P.M.

CHAIRMAN NOBLE CALLED THE MEETING TO ORDER

Chairman Noble led all in the:

SALUTE OF THE FLAG OF THE UNITED STATES OF AMERICA

Chairman Noble read the:

PUBLIC MEETING ANNOUNCEMENT:

IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT OF THE STATE OF NEW JERSEY, ADEQUATE NOTICE OF THIS MEETING WAS PUBLISHED IN THE ASBURY PARK PRESS AND THE STAR LEDGER ON DECEMBER 10, 2020 STATING THE TIME, DATE, PLACE OF THIS MEETING. NOTICE OF THIS MEETING WAS ALSO POSTED ON THE MUNICIPAL BULLETIN BOARD AND ADVERTISED ON THE BOROUGH TELEVISION CHANNEL AND WEBSITE AND FILED WITH THE BOROUGH CLERK.

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.

Chairman Noble requested the:

ROLL CALL OF THE MEMBERS OF THE PLANNING BOARD:

Mr. Baxter	Present	X	Absent	_____
Ms. Bottomley	Present	X	Absent	_____
Mr. Brodbeck	Present	_____	Absent	X
Ms. Kier	Present	X	Absent	_____
Mr. Parisi	Present	X	Absent	_____
Mr. Parks	Present	_____	Absent	X
Ms. Pendleton	Present	X	Absent	_____
Mr. MacNeal	Present	X	Absent	_____
Mr. Wilber	Present	X	Absent	_____
Mr. Noble	Present	X	Absent	_____
Board Attorney Mr. Brady	Present	X	Absent	_____

Chairman Noble introduced the:

APPROVAL OF PRIOR MEETING MINUTES:

Adoption of the Proposed Minutes of the Meeting Conducted on October 14, 2021

Motion By: Ms. Kier
Second By: Ms. Pendleton

Board Member Comments/Discussion: None

Voting Record:

Mr. Baxter <u>Yes/No</u> Abs.	Ms. Bottomley <u>Yes/No</u> Abs.	Mr. Brodbeck Yes/No <u>Abs.</u>	Ms. Kier <u>Yes/No</u> Abs.	Mr. Parisi <u>Yes/No</u> Abs.	Mr. Parks Yes/No <u>Abs.</u>
	Ms. Pendleton <u>Yes/No</u> Abs.	Mr. MacNeal Yes/No <u>Abs.</u>	Mr. Wilber Yes/No <u>Abs.</u>	Mr. Noble <u>Yes/No</u> Abs.	

Chairman Noble introduced:

Block 29 – Lots 4, 5 and 6 – 104 Cedar Avenue – John F. Peto Studio Museum Inc.

Preliminary and Final Major Site Plan – Special Reasons Variance – Bulk Variances

Mr. Brady explained to the Board which Members will be eligible to vote on this matter should a Motion be made and receive a Second.

The Applicant agreed to proceed under the terms explained by Mr. Brady

Presentation by Applicant: Steve Kotzas responded to Chairman Noble and advised that he the attorney for the applicant. Mr. Kotzas was sworn in by Mr. Brady. He explained that the applicant would like to remove an existing structure (cottage) on their property and replace it with a structure of similar size and appearance.

Mr. Kotzas introduced Robert Harrington of East Coast Engineering as a witness for the applicant. Mr. Harrington was sworn in by Mr. Brady. Mr. Harrington introduced Exhibit A-1, he explained the history of the existing structure and explained the proposed location of the new structure. Mr. Harrington explained the proposed site plan and addressed the questions raised by the Board Engineer.

Chairman Noble asked for any questions for Mr. Harrington from Board Members and Counsel:

Chairman Noble and Mr. Brady asked what the uses of the new structure would be:

Mr. Kotzas introduced Linda Baxter as a representative of the Applicant (Peto Museum). Ms. Baxter was sworn in by Mr. Brady. Ms. Baxter explained that the new building would be used for museum related purposes including art displays, seminars and meetings of the Peto Board and Staff.

Mr. Kotzas introduced George Thompson as the Architect for the Applicant. Mr. Thompson was sworn in by Mr. Brady. Mr. Thompson introduced Exhibit A-2 as his rendering of the proposed new structure. Mr. Thompson said that he had toured the existing structure with an eye towards a possible renovation, however he found that the existing structure has no further utility and must be demolished. Mr. Thompson said that his design of the proposed new structure will emulate the existing structure in several ways and will occupy a very similar foot print.

Chairman Noble requested any questions for Mr. Thompson from the Board:

Mr. Wilber said that he thinks that the proposed new structure will be great for visits by school aged children.

Chairman Noble asked about the purpose of the second floor in the proposed structure.

Mr. Thompson said that the second floor will provide some office space and a small amount of storage space.

Mr. Kotzas introduced Jason Marciano as the Professional Planner for the Applicant. Mr. Marciano was sworn in by Mr. Brady. Mr. Marciano addressed the issues related to the requested variance. He said that the museum represents a low intensity use of this property in the residential zone and that it creates a small amount of traffic. He said that given the goals of education and historic preservation the proposed structure has more positive than negative attributes under the Land Use Law.

Chairman Noble requested any questions from the Board for Mr. Marciano:

Mr. Wilber asked if there was a reversion clause in the property deed that would prevent the proposed structure from being used for any purpose other than a museum.

Mr. Kotzas said that the deed that transferred the property to the Museum Corporation has a restriction that only allows the property to be used as a museum.

Mr. Brady said that museums are generally found to be an inherently beneficial use of property under the Land Use Law.

Mr. Kotzas called upon Ms. Baxter to provide additional testimony.

Ms. Baxter said that the applicant is asking to expand the hours during which the property may operate to include business hours during the week. All tours during the week are guided by staff and small in number. The property will be used for some special events on weekends but all will be museum related.

Mr. Kotzas indicated that he had nothing further to present on behalf of the Applicant.

Chairman Noble asked if anyone in the audience wished to comment on the application. All audience members who provided testimony were sworn in by Mr. Brady:

Douglas Sabey – I have lived near the Peto property for two years, they are a good neighbor, I support the approval of their application.

Edward Brown – I live at 111 Cedar Ave.; I support the application of the Peto Museum.

George Hanna – The Peto Museum is a great neighbor and I support their application.

Bonnie Brown – The work that the Peto Museum has done to improve their property has been very positive for the neighborhood and I support their application.

Hearing no other audience comments, Chairman Noble requested any Board Member comments:

Mr. Wilber said that he is inclined to support the application, the proposed structure will keep the historic look of the property and it would be nice to have more space to get school aged children involved with the arts.

Hearing no further comments from Board Members, Chairman Noble entertained Motions:

Motion to Approve the Application as Submitted:

Motion By: Mr. Wilber
Second By: Ms. Kier

Board Member Comments/Discussion: None

Voting Record:

Mr. Baxter Yes/No <u>Abs.</u>	Ms. Bottomley <u>Yes/No</u> Abs.	Mr. Brodbeck Yes/No <u>Abs.</u>	Ms. Kier <u>Yes/No</u> Abs.	Mr. Parisi Yes/No <u>Abs.</u>	Mr. Parks Yes/No <u>Abs.</u>
	Ms. Pendleton Yes/No <u>Abs.</u>	Mr. MacNeal <u>Yes/No</u> Abs.	Mr. Wilber <u>Yes/No</u> Abs.	Mr. Noble <u>Yes/No</u> Abs.	

Mr. Brady provided the Board with an update on the two matters pending in Court from Board Actions.

It was agreed that the Board would meet next on 1/13/22 for Reorganization.

Chairman Noble entertained a Motion for

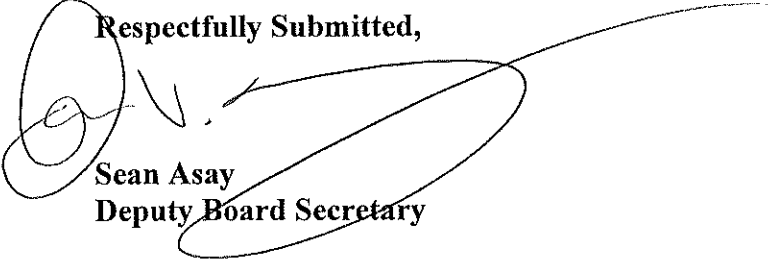
ADJOURNMENT

Motion to Adjourn@ 8:10 P.M.

Motion By: Ms. Pendleton
Second By: Mr. Parisi

Voice Vote Yes: Unanimous No _____

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Sean Asay', is written over a large, loopy scribble. The signature is positioned to the left of the typed name and title.

**Sean Asay
Deputy Board Secretary**