

FAIR HAVEN ZONING BOARD OF ADJUSTMENT Regular Meeting Minutes – December 2, 2021 7:15 pm –  
Virtual meeting via Zoom Platform due to the COVID19/Coronavirus Pandemic

The meeting was called to order at 7:15 pm by Mr. Neczesny, Board Vice Chairman, with the reading of the Open Public Meetings Act Statement (below), and salute to the flag.

Roll Call:

Present: Neczesny, Quigley, Ryan, Ludman, Laufer, Kinsella, Schiavetti, Lehder

Absent: Ridgeway

Also Present: Mr. Irene, Board Attorney

Mr. Neczesny introduced the first agenda item:

Burke – 104 Willow Street, Block 55 Lot 7, Zone R-10A

Applicant seeks to construct a single-family home and seeks variance relief for: total side yard setback, habitable floor area ratio, total lot square footage, and lot frontage.

Mr. Irene said a letter was received from the Burke's attorney, Mr. Sarto, dated November 18, 2021. The letter asks for the application to be carried and mentions a family medical issue, and an intention to revise their plans. The letter extends time to act until the end of February.

The Board discussed hearing applications during the January reorganization meeting. Additionally, the Request for Proposal was mentioned for the professionals supporting the Zoning Board

Mr. Lehder, Board Chairman, suggested moving the Burke application to the February meeting.

MOTION by Mr. Neczesny with a second by Ms. Quigley to move the Burke application to be heard at the February 3, 2022 meeting, without the necessity to re-notice.

In favor: Neczesny, Quigley, Ryan, Ludman, Laufer, Kinsella, Lehder

Mr. Neczesny introduced the next agenda item:

Approval of Resolution for Stevens – 108 Lewis Lane, Block 78 Lot 20, R-30

MOTION by Ms. Quigley with second by Mr. Ludman to approve the resolution for the Stevens application as submitted.

In favor: Quigley, Ryan, Ludman, Laufer, Schiavetti, Lehder

Opposed: none

Mr. Neczesny introduced the next two administrative items for consideration by the Board – the minutes from the October 7, 2021 meeting and the minutes from the October 21, 2021 meeting.

MOTION by Mr. Lehder and second by Ms. Quigley to approve the October 7, 2021 meeting minutes.

In favor: Quigley, Ryan, Ludman, Laufer, Schiavetti, Lehder

Opposed: none

MOTION by Mr. Neczesny and second by Dr. Laufer to approve the October 21, 2021 meeting minutes.

In favor: Neczesny, Quigley, Ryan, Ludman, Laufer, Lehder

Opposed: none

Mr. Lehder opened a discussion regarding in-person Board meetings. Mr. Neczesny likes the idea of in-person meetings. Mr. Kinsella also supports in-person meetings. Mr. Irene reminded that the last open public meetings act covers the January meeting as a virtual meeting. Mr. Lehder supports keeping consistent with the current notice by remaining virtual through January 2022. Ms. Quigley supports the moving to in-person in February. Dr. Laufer is concerned about the tight quarters of the Council Chambers in Borough Hall and the many unknowns of the new variant. Ms. Quigley asked about continuing to post materials on the website. Mr. Lehder supported keeping materials on the website. Mr. Irene is concerned about the ability of those attending the meeting to see exhibits and testify. Mr. Kinsella asked if there were alternative locations available for the meeting. Mr. Lehder mentioned that the Land Use Committee is meeting in Bicentennial Hall. The decision regarding in-person meetings is deferred to January and Board will decide at that time.

Mr. Lehder introduced the next agenda item:

Selection of Board Professionals for 2022

Mr. Lehder asked to discuss the Board professionals in closed session. Mr. Irene suggested that appointment of professionals falls under personnel matters.

MOTION by Mr. Lehder and second by Mr. Ludman approve a resolution to move to Executive Session to discuss personnel matters including the Board professionals.

In favor: Neczesny, Quigley, Ryan, Ludman, Laufer, Kinsella, Lehder

Opposed: none

The Board logged out of Zoom for Closed session at 8:07 pm via conference call. The Board rejoined the public meeting at 8:35 pm.

Roll call: Neczesny, Quigley, Ryan, Ludman, Laufer, Kinsella, Schiavetti, Lehder

MOTION by Mr. Lehder and second by Dr. Laufer to solicit proposals for the Board professional through the 'fair and open' process.

In favor: Neczesny, Quigley, Ryan, Ludman, Laufer, Kinsella, Lehder

Opposed: none

Mr. Lehder thanked the Board for their participation at the October 21st meeting. He has been meeting regularly with Mayor Halpern, Councilwoman Neff, Councilwoman Koch, and Mr. Neczesny, and they have incorporated a summary of issues from annual reports of previous years. He thanked Mr. Ryan for helping to compile the list of issues from the annual reports. There will be a short list of goals that will

be handed off to the Planning Board shortly that will lead to recommendations that will be forwarded to Council. The intent will be for the Council to utilize the recommendations to draft ordinances.

Mr. Lehder opened the meeting to the Public.

Ms. Susan O'Brien was brought into the meeting. She said that not all the Boards are meeting in person. She is concerned that many Board members and attendees at in-person meetings are not wearing masks.

The Board extended holiday wishes.

Mr. Lehder made a motion to close the meeting that was carried by voice vote at 8:45 pm.

Respectfully submitted,  
Sandi Papa  
Board Secretary

#### Public Announcement of Compliance

This is a regular meeting of the Fair Haven Zoning Board of Adjustment. Adequate notice of this meeting has been given pursuant to the provisions of the Open Public Meetings Act. At the time of the Board reorganization in January of this year, the Board adopted its regular meeting schedule for the year. Notice of the schedule of the Board's regular meetings was sent to and published in the Asbury Park Press, and was also sent to the Two River Times and the Star Ledger. Tonight's meeting was listed in the Notice of the schedule of regular meetings. That notice was also posted on the bulletin board in Borough Hall, and has remained continuously posted there as required by the Statute. In addition, a copy of the Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of the Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Adequate notice having been given the Board Secretary is directed to include this statement in the minutes.