

**PLANNING BOARD
BOROUGH OF ATLANTIC HIGHLANDS
October 7, 2021**

The Meeting of the Planning Board of the Borough of Atlantic Highlands, was held on October 7, 2021 at Borough Hall, 100 First Avenue Atlantic Highlands.

WORKSHOP MEETING: 7:00pm

Roll Call: Members Present – Mr. Dougherty, Mr. Caccamo, Mr. Neff, Mr. Pepe, Mrs. Murray, Mr. Colangelo, Mr. Crowther, Mr. Josko, Mr. Krupinski and Mr. Curry

Members absent – Mr. Crowley, Mr. McGoldrick and Mr. Hawley

Michael Steib was present as Board Attorney. Douglas Rohmeyer was present as Board Engineer.

Chairman Colangelo called the meeting to order and stated that the meeting is being held in compliance with the Open Public Meetings Act. Chairman Colangelo stated that notice of this meeting has been transmitted to the Asbury Park Press and the Two River Times, continuously posted in the Borough Hall on a bulletin board reserved for such announcements and filed in the office of the Municipal Clerk of Atlantic Highlands, on January 07, 2021. He read the “Open Public Meetings Act” compliance statement and stated that formal action would be taken.

Mr. Colangelo called for a moment of silent prayer followed by the Pledge of Allegiance.

Public Comment:

Mark Fisher, 93 Third Avenue, asked that the exhibits be presented so that the audience can see them. He also questioned if the Board plans to livestream the meetings. Chairman Colangelo advised there are no plans at this time to livestream, however members of the public are always welcome to do so if they wish.

Pending Litigation: There was none.

Other Business: Mrs. Murray will coordinate scheduling the subcommittee meetings to discuss the checklist revisions with Mr. Rohmeyer.

Mr. Neff made a motion to adjourn the workshop meeting second by Mr. Dougherty at 7:05 pm. All agreed by voice.

REGULAR MEETING: 7:05 PM

Roll Call:

Members Present – Mr. Dougherty, Mr. Caccamo, Mr. Neff, Mr. Pepe, Mrs. Murray, Mr. Colangelo, Mr. Crowther, Mr. Josko, Mr. Krupinski and Mr. Curry

Members absent – Mr. Crowley, Mr. McGoldrick and Mr. Hawley

Approval of Minutes for September 2, 2021 Meeting

MR. PEPE MADE A MOTION TO APPROVE THE MINUTES FROM SEPTEMBER 2, 2021 SECOND BY MR. DOUGHERTY

Ayes: MR. DOUGHERTY, MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CROWTHER, MR. JOSKO, MR. CURRY

Nays: NONE

Abstain: NONE

Absent: MR. CROWLEY, MR. HAWLEY, MR. MCGOLDRICK

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Approval of the Attorney Voucher for August 2021 in the amount of \$3206.00 – MR. DOUGHERTY OFFERED A MOTION TO APPROVE THE VOUCHER, SECONDED BY MRS. MURRAY.

Ayes: MR. DOUGHERTY, MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CROWTHER, MR. JOSKO, MR. KRUPINSKI, MR. CURRY

Nays: NONE

Abstain: NONE

Absent: MR. CROWLEY, MR. HAWLEY, MR. McGOLDRICK

Approval of the Attorney Voucher for September 2021 in the amount of \$2,261.00 – MRS. MURRAY OFFERED A MOTION TO APPROVE THE VOUCHER, SECONDED BY MR. NEFF.

Ayes: MR. DOUGHERTY, MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO, MR. CROWTHER, MR. JOSKO, MR. KRUPINSKI, MR. CURRY

Nays: NONE

Abstain: NONE

Absent: MR. CROWLEY, MR. HAWLEY, MR. McGOLDRICK

PB21-02, Block 25, Lot 1, 2 Keystone Drive (Rosenthal) - Application for Minor Subdivision

Mr. Steib announced that explained this application is being carried to November 4, 2021 at Town Hall, 100 First Ave. Atlantic Highlands, NJ at 7:00 PM. No further notice will be required.

PB21-05, Block 99, Lot 15, 73 Third Avenue- Continuation Hearing of Application for Use Variance and Site Plan Approval with Bulk Variance – Mr. Dougherty stepped down from the dais as his is recused from this application.

An email from Borough Administrator, Adam Hubeny to Keven Kennedy, dated August 9, 2021 was marked as Exhibit A-11. Revised Minor Subdivision Plans were marked as Exhibit A-12.

As the Board members had not been copied on Exhibit A-11, Mr. Steib read the following letter into the record:

“Thank you for the follow up and discussion Mr. Kennedy..... I did talk to the Mayor and Council and stated in fact that prior to what you see today, the lot was full of vegetation and trees. This land has always been in the Borough’s plan for a future water well as the main line runs down East Highland Ave to our water plant and the ease of drilling a new well and connecting same would not take much work, although expensive..... (Atlantic Highlands owns and operates our own water distribution system)

The parking lot as it stands today was created when Borough Hall was being built as the project displaced a small parking lot that was to the rear of the building. Again, at that time, the lot was vegetated and full of brush and trees.

Currently, some Borough Hall employees use that lot during the day as well as EMS members when responding to calls or during training. In addition, residents in the area use the lot which includes single family dwellings (1 with no driveway and in full disclosure my in-laws) and a rooming house located across the street although not everyone there owns a car. Allowing current parking for overflow Borough Hall parking is not an issue as if a new water well was needed, the lot would be used for that purpose and employees would have to park further away in the municipal lot.

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To allow a private multi-family project to use the lot in lieu of providing their own on-site parking would not be something the town should support. The example could be if this was used for parking calculations and some 5, 10, 15 years down the road a new well was needed, the cars could no longer use the lot and would be forced onto the street. Using the lot on a permit bases only would again be an issue down the road and should not be used to satisfy the parking requirement before the PB.

It is for that reason that I have suggested that this lot not be used or included in any parking calculations or uses by the applicant 73 3rd Avenue LLC

Sincerely, Adam Hubeny”

Chairman Colangelo noted the different options in the revised plan and advised he is not comfortable deciding on the design of the plan. He would like the applicant to pick their favorite, and present that, knowing there is a backup plan.

Kevin Kennedy, Esq., appeared on behalf of the applicant. His letter to Adam Hubeny, dated July 19, 2021 was marked as Exhibit A-13. Mr. Kennedy summarized the letter for the Board. At the last hearing there were several comments indicating concern with parking and landscaping and it was suggested he reach out to the Borough Administrator. The applicant had originally tried to satisfy the parking requirement via the municipal lot. Mr. Hubeny has advised the lot cannot be used towards the parking calculations of this application, however he did not restrict any future tenants from using the lot.

A letter to Michelle Clark, dated September 24, 2021 was marked as Exhibit A-14. Mr. Kennedy summarized this letter, noting it was the cover letter submitted with the revised plans. The applicant is here trying to satisfy the concern of both the Board members and the residents. In order to meet the 6 on-site parking requirement, the applicant would be forced to exceed lot coverage, creating a hardship on the applicant. The applicant is trying to be creative to preserve the existing church building. Had the property been vacant, this would be a lot easier.

Marc Leber had been previously sworn and accepted as an expert engineer. After giving his planning credentials, he was accepted as an expert Planner. He advised the applicant would like to proceed with Option B, which he feels is a happy medium in that they were originally required 6 spaces, here they have 4. The proposal of 4 spaces will reduce the impact on the on-street parking that already exists in the area. This option will help to preserve some mature trees on site as well. He noted that any development of this site would require a driveway and would also cause the removal of an on street parking spot. At this time they are proposing extensive landscaping. A one page colored landscaping plan, prepared by Kristina Majweski, was marked as Exhibit A-15. A very attractive blend of trees, shrubs and ground plantings will be installed in the front yard area. A buffer of evergreen shrubs, mixed into the foundation plantings will be installed along the westerly portion. The sidewalk area at the head of the parking area has been reduced in order to provide more green area in the front yard.

Mr. Rohmeyer confirmed the lot coverage has been reduced to 60% however relief is still necessary. The applicant is required to install 6 on-site parking spaces, however they have

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proposed 4 due to the preservation of on-street parking and the preservation of existing street trees. The current proposal also reduces lot coverage. The driveway on Third has been relocated to the south in order to preserve an existing mature tree as well. A single family use would still require 3 off street parking spaces to be installed.

Mrs. Murray questioned the existing handicap parking stall that exists. Mr. Leber advised that is not a legal parking space, it is an unofficial sign that was installed by the church. It will be removed.

Mr. Caccamo advised a neighbor had concerns with parking along the building and asked why landscaping had not been proposed for that area. After a brief discussion the applicant agreed to install two trees inside the property line to deter parking on the grassed area. They will also install a row of evergreen shrubs between the wall and the lot line. Mr. Kennedy advised there is a French drain in that area, they will have to be sure to preserve access to the drain system.

Michael Marzovilla, previously sworn in as the owner/applicant, advised that the gravel in that area is only a temporary fix for the flooding issue. The water pitches towards the Municipal lot.

Mr. Crowther indicated concern with the landscaping abutting the driveways; the applicant may want to look at that area to ensure the plantings will not be trampled. Mr. Leber advised he will pull the landscaping back a bit.

Chairman Colangelo opened the hearing to members of the public.

Barbara Rozell, 77 Third Avenue was sworn in and advised she owns the property adjacent to the subject property. Ms. Rozell asked questions related to the landscaping and suggested a tree height of 5-7 feet maximum.

Vito Colasurdo, 20 E. Highland Avenue, was sworn in and asked questions regarding the pavement material to be used for the driveway. Mr. Leber advised they are proposing asphalt for maintenance and durability reasons. Mr. Colasurdo suggested more of a residential material and referred to 37 East Highland Avenue's driveway. Mr. Rohmeyer advised they typically do not like to see loose materials adjacent to a roadway.

Barbara Rozell suggested an Alberta Spruce be used and was advised the skip laurel are a similar type of evergreen. Ms. Rozell further confirmed the gravel is to be removed.

Vito Colasurdo suggested removing the strip for aesthetic reasons. Mr. Leber advised they can use brick instead.

Morgan Spicer, 6 Victorian Woods, was sworn in and indicated concern with flooding. Mr. Leber advised there is an extreme de minimis addition of pavement proposed so there would be no impact. Ms. Spicer asked if there are any native trees that can absorb the water in the area. Mr. Leber advised evergreen trees have been selected by their Landscape Architect.

Mr. Rohmeyer suggested the roofline could add to the flooding on the south side of the building. The parking space run-off will run in the opposite direction and will not exacerbate the situation on the south side of the property. Mr. Marzovilla added that the gutters are six inches wide and he

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believes the water issue is due to the lack of maintenance of the gutters and the French drain. The water from the French drain and the gutters, drain out to Highland.

Carl Pearson, 23 East Highland Avenue, was sworn in and stated that if the neighbor installed a fence, that would be an appropriate screen.

Mr. Caccamo advised he feels there are not enough improvements being done to restore the church. He believes the building will become unsightly over time and needs to be screened.

Mrs. Murray agreed with neighbor concerns that the parking area looked too commercial. Mr. Leber agreed to use pavers for the driveway.

Barbara Rozell asked if the church bell will still be rung. Mr. Kennedy advised the applicant agrees to not ring the bell.

Mr. Leber advised they are seeking a D1 and a D4 variance, as the use is not permitted and they exceed the maximum Floor Area Ratio. The applicant is seeking a lot coverage variance as well as parking variances related to the number of spaces and a driveway in the front yard. Strict application of the zone standards would result in design difficulties. Granting the variances will cause no detriment on the neighborhood or zone plan. This is an adaptive re-use of the property and he feels this is the least intensive use. Preservation of the church building will help to maintain the historic heritage in the area. The proposal meets the goals and purposes of the Municipal Land Use Law in that it promotes the health, safety and welfare of the public good. There are no wetlands on the site, no steep slope areas and no stream corridors. The building was constructed prior to zoning and placed in the back corner of the property, which creates a hardship for this applicant, especially as it relates to parking and the increased frontage requirement of it being a corner lot. In order to meet lot coverage, they would need a full parking variance, so he feels that this is the best compromise. Aesthetics have been addressed via the landscaping plan and this is a better design alternative than leaving it as is. One single family home would be out of character to the neighborhood.

Chairman Colangelo asked for any further questions from the public. None were received.

Chairman Colangelo opened the hearing for members of the public who wish to make a comment.

Ellen O'Dwyer, 81 Lincoln Avenue, was sworn in and read a statement from the Environmental Commission urging the Planning Board to consider removing the driveway/parking area from the plan.

Mark Fisher, 91 Third Avenue, was sworn in and questioned the sprinkler system. A discussion was held regarding sprinkler systems only in the public areas. Mr. Leber advised they will follow all State regulations.

William Hershikowski was sworn in and advised the building will be designed to code and will be fully sprinklered.

Mr. Fisher advised that he has checked the Ordinance and the handicap space discussed is not a legal space; he suggests removing the sign. The applicant agreed.

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Carl Pearson, 23 East Highland Avenue, was sworn in and advised he likes this design and feels it is a good compromise. He appreciates the preservation of the Church building.

Vito Colasurdo, 20 East Highland Avenue, was sworn in and stated that if parking was not needed when it was a church and a daycare, he doesn't know why it is necessary now as it is not as intense a use. He feels the asphalt is unsightly and he would like to see the pavement be within the character of the neighborhood.

Mark Fisher, 91 Third Avenue, offered comments indicating he feels this was a good exercise of a developer listening to concerns.

Morgan Spicer, 6 Victorian Woods, was sworn in and stated she agrees with Mr. Fisher and she appreciates the preservation of the Church. She would like to see seashells used for the driveway. Mr. Kennedy advised the applicant has agreed to pavers for the driveway area.

Mr. Colasurdo indicated he is okay with pavers.

Barbara Rozell, 77 Third Avenue was sworn in and stated that she likes to see the preservation, she would like to see more renovation but would prefer it be a two-family home.

Mr. Kennedy thanked the Board for their time and summarized the application. His clients came back in good faith trying to address the concerns of the Board and the Neighborhood and agrees to landscaping improvements, limitations on the Church bell, a paver driveway and the preservation of trees.

Mr. Curry advised he likes the plan and the preservation but he has concerns with parking; it will be tight pulling in and backing out on that roadway. He understands they are providing 4 on-site spaces, however they are losing 3 on-street spaces.

Mr. Colangelo stated that getting through that area is tough but he thinks the cuts will allow people to mover over and let the opposite cars pass.

Mr. Pepe advised he likes the plan and suggests the landscaping be done at the Engineer's approval. Mr. Kennedy agreed and advised they will consult the neighbor as a courtesy. Mr. Pepe continued that parking is tough but they have to follow the ordinance and not opinions, he feels this is a good compromise.

Mr. Caccamo stated that the courtyard will hold the aesthetics. He feels that three families will cause a lot of wear and tear on the building and it is not being improved enough to handle it.

Mr. Steib advised that any favorable action of the Board would include the following conditions: there would be no exterior construction or alterations, no bell ringing, the HVAC system will be screened, a concrete apron and sidewalk at the street, the Borough Engineer to review the street trees and screening and the six bollards will be removed.

Mr. Kennedy stated that he understands the parking concerns but feels the church was a much more intense use.

MRS. MURRAY OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. PEPE.

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Roll Call:

Ayes: MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO,
MR. CROWTHER, MR. JOSKO, MR. KRUPINSKI, MR. CURRY

Nays: NONE

Abstain: NONE

Absent: MR. CROWLEY, MR. HAWLEY, MR. McGOLDRICK

At this time, the board took a 5 minute break. Upon reconvening, Mr. Dougherty took his seat on the dais. Mr. Colangelo and Mr. Crowther recused themselves from the following application.

PB21-07, Block 97, Lot 4, 98 First Avenue (Sorensen) - Application for Use Variance and Site Plan Approval – Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter.

Zoning Denial Letter of Zoning Officer Michelle Clark, dated April 20, 2021, marked as Exhibit A-1 in evidence. Planning Board Application of 98 First Avenue, LLC, dated March 31, 2021, marked as Exhibit A-2 in evidence. Development Plan Checklist, dated March 31, 2020, marked as Exhibit A-3 in evidence. Location Survey of block 97, lots 2 & 4, prepared by Thomas Craig Finnegan, P.L.S., dated May 12, 2016, marked as Exhibit A-4 in evidence. Review #1 of CME Associates, dated June 4, 2020, marked as exhibit A-5 in evidence. Location Survey of block 97 lots 2 & 4 prepared by Thomas Craig Finnegan, P.L.S., dated July 14, 2021, marked as Exhibit A-6 in evidence. Letter from Attorney Crowther to Mayor & Council, dated July 1, 2021, marked as Exhibit A-7 in evidence. Drawing of proposed rear office, dated October 7, 2021, marked as Exhibit A-8 in evidence. Photograph of hallway of rear office toward back door, dated October 7, 2021, marked as Exhibit A-9 in evidence. Photograph of portion of waiting room dated October 7, 2021, marked as Exhibit A-10 in evidence. Photograph of additional waiting room area, dated October 7, 2021, marked as Exhibit A-11 in evidence. Photograph looking into rear office from hallway, dated October 7, 2021, marked as Exhibit A-12 in evidence. Photograph looking into rear office, dated October 7, 2021, marked as Exhibit A-13 in evidence. Photograph looking out of rear office from windows, dated October 7, 2021, marked as Exhibit A-14 in evidence. Photograph of hallway to law office with bathroom, dated October 7, 2021, marked as Exhibit A-15 in evidence. Inside view of hallway from Law office to rear room, dated October 7, 2021, marked as Exhibit A-16 in evidence. Copy of Survey depicting 9 possible parking spaces 10 feet wide and proposed handicapped spot marked with an "X", dated October 7, 2021, marked as Exhibit A-17 in evidence. Photograph of entrance to parking lot from Mount Avenue, dated October 7, 2021, marked as Exhibit A-18 in evidence. Photograph of proposed office entrance door, dated October 7, 2021, marked as Exhibit A-19 in evidence. Photograph of west side of parking lot showing proposed handicapped spot dated October 7, 2021, marked as Exhibit A-20 in evidence. Photograph of east side of parking lot showing right turn for ingress and egress for lot 6, dated October 7, 2021, marked as Exhibit A-21 in evidence. Photograph of back door close-up, dated October 7, 2021, marked as Exhibit A-22 in evidence. Photograph of side door entrance

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for upstairs apartments, dated October 7, 2021, marked as Exhibit A-23 in evidence. Photograph of beginning of 10 foot alley way, dated October 7, 2021, marked as Exhibit A-24 in evidence. Photograph of 10 foot alley way as extended to edge of lot 6 (94 First Avenue), dated October 7, 2021, marked as Exhibit A-25 in evidence. Photograph of dumpsters used for trash removal, dated October 7, 2021, marked as Exhibit A-26 in evidence. Photograph close up of lot access from driveway, dated October 7, 2021, marked as Exhibit A-27 in evidence. Photograph of view from dumpsters showing drive and access through lot 2, dated October 7, 2021, marked as Exhibit A-28 in evidence.

Wendy Crowther, Esq., appeared as the applicant. She explained that she currently occupies the office space of the late Arthur Sorensen, and she would like to be able to rent out the back third of the office to a third party. The property is currently zone commercial and she is asking for a second use to be permitted.

Debbie Goggins was sworn in as the building manager, Arthur Sorensen's secretary and Ms. Crowther's current paralegal. Ms. Goggins testified that she has been the building manager for 26 years. The third floor is currently a two-bedroom apartment with a sunroom. The second floor is a two-bedroom apartment and a commercial office space. The first floor contains Ms. Crowther's office, along with a back office with a bathroom and waiting space. The back office and its amenities are accessible by a separate entrance and was previously used by another attorney but is currently vacant. Ms. Goggins referred to Exhibit A-6 and described the surrounding uses. Lot 2 is owned by Mr. Sorensen's estate and is a parking lot used by the residential and commercial tenants of 98 First Avenue as well as two spots that are used by First Cup Coffee. Ms. Goggins described the proposed floor plan of the first floor of 98 First Avenue, noting the locked door between the two spaces. A photo showing lot 2 with parking was marked as Exhibit A-17. Ms. Goggins described the circulation of the parking lot, noting there are no handicapped stalls as it is a gravel lot. A photo showing access from Mount Avenue was marked as Exhibit A-18. A photo of the gravel area was marked as Exhibit A-19. A photo showing the parking lot on lot 2 was marked as Exhibit A-20. A photo of the east side of the building was marked as Exhibit A-21. There are currently no proposed changes for the second and third floors. There is an alley way between the subject property and lot 2, which is owned by the Borough for drainage purposes. There is a detention basin under the stone. The dumpster located on lot 2 is for the Movie Theater. A discussion was held regarding the current usage of the parking lot. There are one to three spots available in the lot for the new tenant. They hope to rent the space to a therapist or similar use.

Mr. Rohmeyer asked for clarification on the alley, known as lot 3. Ms. Crowther advised she has inquired about purchasing the lot from the Borough but was advised it would have to go out to bid to the adjacent owners and she has not heard back on that. It would need an easement as it has been used for access and drainage for over 100 years.

Mr. Pepe advised he would be more comfortable with an actual parking agreement in place, rather than a "gentleman's agreement."

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Mr. Rohmeyer advised this is a change of use application with no additions, with no consolidation of lots but the applicant is agreeing to address the use of the parking area.

Mr. Steib advised that the approval would be based on the availability of parking. He suggested the Board could place a condition that states if lot 2 ceases as parking, the applicant will have to come back to the Board. Ms. Crowther stated that the parking spaces will be addressed in the lease but she is okay with the condition.

Mr. Rohmeyer referred to the ADA parking and stated that it would have to be a stable surface, not gravel. He does not feel the ADA space is required but if they do plan to install one, it would have to be compliant. Ms. Crowther advised she will remove the ADA proposal from the application. It is really not practical as any handicapped patrons usually get dropped off at the front of the building. Furthermore, the proposed office space is not ADA accessible.

Mr. Pepe opened the hearing to members of the public who wish to speak, however none appeared.

Ms. Crowther thanked the Board for their time.

MR. KRUPINSKI OFFERED A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. NEFF.

Roll Call:

Ayes: MR. DOUGHERTY, MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY,
MR. JOSKO, MR. KRUPINSKI, MR. CURRY

Nays: NONE

At this time Mr. Colangelo and Mr. Crowther took their seats on the dais. Mr. Dougherty stepped down from hearing the following application.

PB21-12, Block 117, Lots 10, 11 & 12, 49-51 First Avenue (Krikorian) – Application for Bulk and Use Variance Approval – Mr. Steib advised the notices are in order and the Board has jurisdiction to hear this matter.

A copy of the Zoning Denial was marked as Exhibit A-1. The Planning Board application dated February 2, 2021 was dated as Exhibit A-2. A location survey was marked as Exhibit A-3. Correspondence dated August 6, 2021 was marked as Exhibit A-4. A project narrative was marked as Exhibit A-5. The floor plans were marked as Exhibit A-6. The CME Associates review letter, dated September 17, 2021 was marked as Exhibit A-7.

Kevin Kennedy, Esq., appeared on behalf of the applicant. The property is currently home to the Blue Bay Inn along with two restaurants. The application is for internal changes only, there will be no changes to the exterior or to the footprint of the building. The Zoning Officer felt the application did not meet the exemption criteria, which is why is it before the Board. The building has existed for 18 to 20 years and the proposed changes will not be visible.

Randy Takian, 20 Wilson Circle, Rumson, New Jersey, was sworn in as an authorized representative of the applicant, who are his in-laws. He testified that the pandemic hit them very hard, as it did everyone, and they were closed for an extended period of time. In that time, they

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did a lot of reflection and decided to renovate and update the interior. They currently have 27 room suites existing; 23 suites have rooms and a wet bar and 4 rooms are apartment style. The applicant is proposing to renovate eight single rooms into suites as they find them to be easier to rent out in the off-peak months.

Mr. Colangelo asked for clarification on the terms of the rentals. Mr. Takin advised it is not rented on an annual basis. Also, the longer stays are less profitable to the company, so they are less desirable and are usually only done in the off-peak months. These are fully furnished units and utilities are provided through the Inn. They also provide room service and house-keeping.

Mr. Pepe advised this is actually a reduction of density.

Mr. Steib advised this is a deviation from a conditional use and they will exceed the floor area ratio, which triggers the use variance.

Mrs. Murray indicated concern with a kitchen being added. Mr. Takian advised they will not be full kitchens. All interior renovations will be permitted and inspected by the Building Department.

Mr. Rohmeyer clarified this is a de-intensification of the use.

Mr. Colangelo opened the hearing to members of the public for questions of the testimony given. Mark Fisher, 91 Third Avenue, asked if the Board could add a provision, in case this works for the applicant in the future, that they could convert more units without coming back. Mr. Takin advised he appreciates the sentiment, but that is not desirable.

Mr. Colangelo opened the hearing for any comments from the public, however none were received.

Mr. Colangelo advised he feel comfortable with the request as it is not a change in use.

MR. PEPE OFFERE A MOTION TO APPROVE THE APPLICATION, SECONDED BY MR. KRUPINSKI.

Roll Call:

Ayes: MR. CACCAMO, MR. NEFF, MR. PEPE, MRS. MURRAY, MR. COLANGELO,
MR. CROWTHER, MR. JOSKO, MR. KRUPINSKI, MR. CURRY

Nays: NONE

Adjournment

Mr. Neff made a motion to adjourn the meeting, second by Mrs. Murray at 9:58 pm.

Erin Uriarte
Planning Board Secretary