

**ZONING BOARD OF ADJUSTMENT  
MINUTES**

**FEBRUARY 7, 2022**

Meeting advertised according to the Sunshine Law of NJ

Roll call: attending: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat  
Mr. Gartenhaus, Mr. Gross, Mr. Gelley, Mr. Halberstam

Also present: Jerry Dasti, Board Attorney  
Terry Vogt, Board Engineer/Planner

Salute to the Flag.

Motion to approve minutes of January 3, 2022 – Mr. Gelley

Second – Mr. Lankry

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Gelley,  
Mr. Halberstam

Mr. Gartenhaus – new member was sworn in.

Correspondence

**Appeal # 4210 – Aderet Offices, LLC**, 2017 Lanes Mill Road – Request from Adam Pfeffer to carry to March 7<sup>th</sup> meeting because their plans were not completed. Asked to carry until March meeting. Will renote if there are new variances requested.

Motion to carry – Mr. Ribiat

Second – Mr. Lankry

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4212 – Mordechai Finkelstein**, 465 Chestnut Street, - Request to carry to March 7<sup>th</sup>  
Applicant could not attend meeting.

Motion to carry to March 7 – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam

Agreed to waive time

No further notice

**Appeal # 4221 – GM Lanes Mill LLC**, Lanes Mill Road – request from Adam Pfeffer to carry  
To March 7<sup>th</sup> or when they are ready - Agreed to waive time and will re-notice

Motion - Mr. Gelley

Second – Mr. Lankry

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam

Chairman announced that he and the board members did not receive plans to review for the meeting and the following applications will not be heard. He received a package at 5 P.M. tonight.

**Appeal # 4074A - Somerset Management**

**Appeal # 4227 - Shimon Grinberger**

**Appeal # 4228 – David Fisher**

**Appeal # 4231 - Daniel Czermak**

**Appeal # 4207 - Samson Weiss**

**Appeal # 4225 – 19 Chestnut Way, LLC**

**Appeal # 4232 – Elaine Klein** – did not open the package yet – will leave for the end

Adam Pfeffer asked that **Appeal # 4231** be heard that he was the attorney and will wait and it is only a side yard setback.

The Board carried all applications except **Appeal # 4231 and Appeal # 4232** until the March 7<sup>th</sup> zoning board meeting with no further notice.

**Appeal # 4201 – Mordechai Eichorn**, Gates Ave. between Golders Green Road and New Hampshire Ave. Block 1159 various lots, block 1159.04 various lots. Request to amend resolution and site plan.

Miriam Weinstein, attorney for applicant – They had to vacate a road and that vacation has since been adopted by the Township. Asking to amend the resolution to flip a unit that will now front on the main road.

Chairman – no problem with this did not create any new variances.

Open To Public. Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4211 – Covington Village Condo Assoc.**, Block 1082 Lot 9, Locust Street, R-20 zone  
To subdivide existing community into 2 separate lots. Amend prior site plan approval; conditional use variance relief.

Adam Pfeffer, attorney for applicant. Was here 2 months ago and this is a continuation.

Christopher Otto - did financial analysis – appraiser  
Board accepted qualifications.

Area was analyzed

1. age restricted – sold to public – no market for sale
2. age restricted – rental – worth less than construction
3. all rental – not age restricted – financially viable

Cannot make money on age restricted for sale.

Mr. Lankry -this property is over 9 acres .  
Mr. Naftali – finances is not our issue.

Mr. Otto – there is more value in rentals.

Scott Kennel, Traffic Engineer, sworn.  
Board accepted qualifications

Extensive traffic data from 2021. Peak hours are 9-10 a.m. and 3-4 p.m  
Locust and Vermont under construction  
Both roadways will be widened to accommodate 2 way traffic flow.  
Sidewalk system to Locust Street.  
Locust Street is under the jurisdiction of Ocean County.  
261 parking spaces – 260 required  
They comply with RSIS with regard to accessibility and this plan is acceptable.  
B level service for the community  
Buses on site will be determined by the board of education.  
Trips are about 1.5 per unit.

Mr. Halberstam – buses will not work

Mr. Kennel – Number of school age children should be low.

1 bedroom

2 bedroom

County will be restriping Locust Street.

They will agree to enlarge the cul de sac to accommodate the bus turn-around.

William Stevens – engineer/planner, sworn.

Board accepted qualifications.

They want buses to stop in the middle of the road to stop traffic – it is safer for the children. They have approval for 5 buildings – they are only building 4 buildings. They want non-age restricted which is a benefit to the existing project and the township. There will be 100 one bedroom units and 42 -2 bedroom units. They added additional parking. They provided a recreation area. Provided additional landscaping and a recreation area. Will construct a new maintenance building. Locust Street is a County Road and the entrances will be safe. This project has to be completed and this is the best way, to separate.

Francine Tajfel, developer, affirmed. has been involved since the time the property was acquired by them. She has been to many meetings with the community. She testified that the vote and the papers were submitted. They addressed as many concerns as possible with the community. Votes were taken under their attorneys watch. They own the right to build the 5 buildings. There was a statement agreement that showed they would build all 5 buildings. The board voted on the split entrances. The settlement agreement was also that these buildings would be non age restricted. The infrastructure is already installed. Will maintain all the landscaping, will also maintain the basins.

Marianne Trimoney, president of the HOA, resident since 2018, sworn. She supplied the board with photographs of the entrance etc. Many of the original owners are still there. Mortgages are not easy for seniors. The lenders do not want to invest in this property not knowing what is going to happen. The majority of owners want the separation. Will provide the reconstruction of their buildings. Removing the deteriorating clubhouse, the road work that is not completed will be completed by the new developer. The majority of owners support separation.

A-5 Supplied the board with photographs of the entrance.

Carey Tajfel, affirmed. Developer. They came here in 2019 and the board asked for improvements. They revised the plan to take into the consideration with the boards suggestions.

Open to Public.

Marie Keenan, original owner, 412 Sophee Lane sworn. They had to live there 2 years before they can rent. The builder went bankrupt and left. Not in favor of this proposal.

Martin Rosen, new owner since 2004, 124 Sophee Lane. In favor of this separation. Vice President of Home Owners Assoc.

Marianne Climato, 112 Sophee Lane, sworn, since 2015, Not in favor of this proposal. There are ambulances their all the time. The developer knew that this was a senior community when he bought the rights to build. Association fees are \$ 406 monthly.

Dennis Bembury, 632 Sophee Lane, new owner, in favor of separation. Treasurer of the board. By studying the books they are trying to keep the HOA fees down. The insurance will increase If they don't have the separation.

Closed to Public.

Mr. Pfeffer , the original approval is not going to be built. This plan is the best.

Mr. Halberstam suggested that this remain a senior citizen project as rentals.

Mr. Pfeffer – there would be no amenities for the seniors.

Motion to approve – Mr. Gelley

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Ribiat, Mr. Gelley, Mr. Halberstam

Nays: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali

Mr. Lankry - not against separation – concerned about the situation for the seniors.

Mr. Ingber – agreed.

**Appeal #4226 – Levi Noveseller**, 95 Glen Avenue, Block 12.04 Lot 18, R-12 Zone. To construct a new home – requesting variance for front yard setback – proposed 25.34 feet where 30 feet is required.

Mr. Halberstam - this is a front yard setback

Adam Pfeffer represented applicant. There is a front yard porch and they are asking for a front yard setback.

Open to Public. Closed to Public.

Motion to approve – Lankry

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gleiberman,, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat, Mr. Gelley, Mr. Halberstam

**Appeal # 4206 – Cellco Partnership**, 500 Clifton Avenue, Block 94 Lot 1, R-OP zone. Use variance to construct a wireless communications facility on an existing building.

Rich Schneider attorney for applicant. They were here for an approval for a temporary tower at 900 Lakeview Avenue was approved. The board recognized that that was necessary and that this application was coming. This is for a rooftop installation at 500 Clifton Avenue. Asking for a use variance only. Antennas will be lower than the top of the penthouse, 65 feet the height allowed. This is a senior citizen building. All the equipment is location in the interior of the building except for the generator. Asking for use variance for the antennas, if necessary for the height also.

David Stern, radio frequency engineer, affirmed.

Board accepted qualifications. Verizon wireless licensed by the FCC. Downtown Lakewood is in need of additional coverage.

A-1 sites in and around Lakewood Township.

These are the current sites in Lakewood and are they are maxed out.

A-2 page 8 of 18 map # 2

Trying to fill in the coverage

A-3 map 3 in his report showing the fill ins and gaps in service

A-4 Police antennas already on the building. They don't transmit - they only receive.

The facility is in strict compliance with the FCC regulations and guidelines.

When install these antennas will the new technology push out the Lakewood residents phones., flip hones, kosher phones, etc.

Frank Colasurdo, architect, sworn  
Board accepted qualifications.

There will be 3 sets with 4 antennas per septor. Grounded from the basement.

Generator on SE corner of 5<sup>th</sup> & Clifton Avenue and 2 condensing units will be behind the fence and will be screened. There will be a continuous evergreen hedge line along Clifton Avenue. The generator runs for 30 minutes between 10 a.m. – 2 p.m. once a week. It will be an unmanned facility – technician comes once every 4 weeks. The noise from the generator is minimal and comes with a sound enclosure.

William F. Masters, Jr. sworn. Reviewed site plan, drawings. Reviewed the 2017 Master Plan.

A-4 - 8 photo simulations – taken on April 23, 2021 – described each photo and where they were taken. The generator is shown in photo 3A in the southeast corner of the building. Visited the site on numerous occasions.

Provides reliable radio frequency requirements. This is one of the tallest buildings in Lakewood. The proposed use is compatible to the existing building. The facility is unmanned. Satisfies the positive criteria. There is no visual impact. The site achieves the technical objective of Verizon Wireless.

Chairman announced that the time is now 10:33 and he would like to take 2 applications and then come back for the rest of the Application for Cellco.

**Appeal # 4223 – Aron Muller**, 113 E. 8<sup>th</sup> Street, Block 230 Lot 12, R-10 zone. To construct a single family home. Requesting variances for lot area lot width, side yard setback, combined side yard setback and lot coverage of 35% where 30% is permitted.

Brian Flannery, engineer/planner  
Seeking side yard setback and lot coverage  
A-1 tax map  
A-2 variance plan  
A-3 architectural

Mr. Flannery - Asking for side yard setbacks of 7.5 where 10 and 15 is required. This is an existing lot.

Chairman - Basically side yard setback granted in the past and the 35% is because of the large deck.

Open to Public.

Mr. Flannery – one exterior entrance to basement.  
Mr. Ingber – looks like there is 2 basement entrances to the basement.  
Mr. Ribiat – looks like there is steps to the attic.

Mr. Flannery – they will eliminate the side door, and there will be one entrance to the basement.

Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Ribiat,  
Mr. Gelley, Mr. Halberstam

**Appeal # 4213 – Shayne Gelbfish Freund, 15 14<sup>th</sup> Street, Block 145 Lot 3, R-10 zone.**

Variance for existing sheds and variance for 16 foot fence for pool.

Brian Flannery, engineer, planner. Applicant is here, she recently donated a kidney and cannot stand. A 16 foot fence and needs privacy for pool and existing sheds at 3 feet and Letters from neighbors on approval of the fence.

Mr. Dasti asked that copies be sent to him.

Mr. Ribiat asked about the sheds.

Mr. Freund was affirmed. There is a basketball court on the property. The sheds were blocking the basketball court.

Open to Public. Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Naftali

Roll call vote: affirmative:

Continued **Appeal # 4206 – Cellco Partnership**

Open to Public.

Alta Eliezar Richter, 278 Forest Ave – Oppose this application. Can cause cancer and health issues in children.

Yisroel Bursztyn, owns property at 503 Clifton Avenue. Strongly oppose this application. If there is a small chance for health problems this should not be approved. There is a serious risk factor, please deny.

Shelley Kleinman, affirmed. 366 7<sup>th</sup> Street, They will have constant exposure to this and ask that it be denied. It will not benefit the Yeshiva community and this can cause radiation.

Yehudah Miller, 620 Clifton Avenue, affirmed. In a 5 block radius there is 1000 kids. There is no study on young children. What about the old people in the building?

Samuel Loeninger, 305 6<sup>th</sup> Street, affirmed. Live across the street from this site. He has health reports and articles.

Mr. Schneider objected.

Mr. Dasti – Articles are not relevant because there are 2 sides.

Mr. Schneider – the obligation of the applicant as a matter of law, is that they comply with the FCC regulations and they clearly satisfy those conditions.

Mr. Loenger – the radiation could be dangerous. Concerned about radiation.

Mr. Gross – we cannot consider health issues if they meet the FCC requirements.

Objectors asked if they could carry to have time to hire professionals.

Naftali Bursztyn, 133 E. 6<sup>th</sup> Street, Oppose this application. Asked to carry so they can get profession help in this matter.

Mr. Naftali – the neighborhood does not want this and let the objectors get representation.

Mr. Ribiat – insane to push this off.

There was discussion amongst the board members.

Motion to approve – Mr. Lankry

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Ribiat, Mr. Halberstam  
Nayes: Mr. Naftali, Mr. Gelley

**Appeal # 4231 – Daniel Czermak** – 810 South Lake Drive, Block 12.04 Lot 109, R-12 zone.  
To construct a new home with variances requested for side yard setback.

Adam Pfeffer represented applicant. This is for a side yard setback.

Motion to approve – Mr. Lankry

Second – Mr. Ribiat

Roll call vote: All in favor.

**Appeal # 4222 – Leah Gelley**, 429 15<sup>th</sup> Street, R-12 zone. To construct a single family home.  
Requesting side yard setbacks of 8 feet and 10 feet.

Meir Gelley, affirmed. Asking for 8 and 20 side yard setback.

Motion to approve – Mr. Lankry

Second – Mr. Gross

Roll call vote: All in favor.

**Appeal # 4232 – Elaine Klein**, 306 Autumn Road, Block 23 Lot 3, R-12 zone. To construct a  
single family house requesting variances for front yard setbacks and lot  
coverage of 35.72% where 30% is required.

Miriam Weinstein, represented applicant.

Asking for front yard setback – lot undersized.

The house fronts on Autumn Road – corner lot – asking for 35% lot coverage.

Mr. Ribiat Great improvement

Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Ribiat

Resolutions

**Appeal # 4184A – 590 Atlantic Avenue Colonial, LLC**, Block 1077.04 Lots 1001, 11.01,  
12.01, 14.01, Block 1077 Lot 15, B-5 zone. To construct 18 duplexes, approved.

All in favor.

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Motion to pay bills.  
All in favor.

Motion to adjourn.  
Meeting adjourned at 11:40 P.M.  
All in favor.

Respectfully submitted,

Fran Siegel  
Zoning Secretary