

**The Borough of Mantoloking
Joint Land Use/Board of Adjustment
Minutes
Thursday, November 4, 2021**

A regular meeting of the Joint Land Use/Board of Adjustment was held this day. The following is a record of that meeting:

1. **CALL TO ORDER:** Chairwoman Jane White called the meeting to order at 6:30pm
2. **OPEN PUBLIC MEETING STATEMENT:** Chairwoman Jane White read the following statement:

In compliance with the provisions of the New Jersey Open Public Meetings Act, adequate notice of this meeting of the Mantoloking Borough Joint Land Use has been advertised in the manner provided by law.

3. **ROLL CALL:**

Present: Christine Beck, Robert McIntyre, Susan Laymon, Jane White, John Wesson, Betsy Nelson, Beth Nelson, Joan Mattia, John Conti
Absent: Denise Boughton
Abstain: Steve Gillingham
Also Present: Joe Coronato, Board Attorney, Kaitlyn Ippolito, Board Secretary, Lynne Hazlet, Deputy Clerk, Larry Plevier, Board Engineer

4. **PLEDGE OF ALLEGIANCE:** Chairwoman Jane White led the assembly with the Pledge of Allegiance.
5. **NEW BUSINESS:**

Joe Coronato, Planning Board Attorney, explained there was a request to carry the Variance Application for a generator at 1019 East Avenue, to the December 2, 2021 meeting. Jane White made a motion to carry. All present were in favor. The motion to carry passed and the 1019 East Ave. variance application will be heard December 2, 2021.

- A. Hargis Custom Homes, LLC- 1025 Barnegat Lane, Block 24, Lot(s) 4, 4.01, & 5.01, Application # 2021-03 Sub-Division.

The Application: Joe Coronato, Esq. introduced William T. Gage, attorney representing the property owners of 1025 Barnegat Lane. William Gage explained there is no variance relief being requested at this time and the deed restricted portion of the property will remain in its vegetative state. Mr. Gage clarified his clients are aware that the decision made by the Planning Board members will be contingent upon the outcome of the litigation between Mr. Gillingham and Hargis Custom Homes LLC. Chuck Lindstrom, the Engineer for the project is present to explain the project further.

Steve Gillingham recused himself from the application as being a recipient of the 200 sq. ft and the open litigation and was present as a member of the public.

Joe Coronato swore in Bradley Hargis, a member of Hargis Custom Homes, LLC. Bradley Hargis explained that there are three lots that they plan to sub-divide to two lots and build on those two conforming lots while being mindful of the portion of the lot that must stay in the vegetative state.

Questions and Observations: Questions, concerns and statements were made by the board members and professionals during the presentation relating to the sub-division of the three lots, the lot lines, open space and the structure sizes based on lot size. The applicant, Mr. Hargis, noted that during construction they do not plan to build to the conservation easement.

Charles Lindstrom, Engineer, is sworn in by Joe Coronato, Esq. and gave professional testimony outlining the sub-division and development based on lot size. Joseph Micheleni Esq. questions Mr. Lindstrom on the construction size and height based on the calculated lot size.

The Public: Joe Coronato opened the meeting to the public for public comment. Tom Herten, 1020 Barnegat Ln. is sworn in by Joe Coronato. Mr. Herten spoke to oppose the sub-division to prevent two homes being developed especially on the lot with the deed restriction. Mr. Herten asked to have language preventing any future development in the sub-division plat.

Holly Hubbell 1026 Barnegat Lane was sworn in by Joe Coronato Esq. Ms. Hubbell showed concern for parking spaces and was informed by Mr. Lindstrom parking spaces are calculated by bedrooms but three are limit.

Jane white made a motion to open to the public with a second from Beth Nelson, all present were in favor.

6. **PUBLIC COMMENT:** Evan S. Gillingham 1027 Barnegat Lane, was sworn in by Mr. Coronato and read a statement. Mr. Gage cross examined Mr. Gillingham.

Harry Lonsdale at 1026 Barnegat Lane asked the Board to turn down the application and wait until the litigation and lot lines have been determined.

Tom Herten, 1020 Barnegat Ln. told the Board that this is the Board's last chance and duty to consider open space, lighting and the future development of the property and not just the application itself as a sub-division.

Ed Smith, 1024 Barnegat Lane was sworn in by Mr. Coronato. He reinforced the opinion that the Board should deny the application.

William Gage Esq. and Joseph Micheline Esq. made their closing statements.

Robert McIntyre made a motion to move out of the public portion with a second from Jane white, all present were in favor.

CLOSED SESSION: Board members discussed the application along with Mr. Micheline and Mr. Gage's testimony in order to reach their decision. Members considered open space and air, the open litigation, their responsibly as the Mantoloking Planning Board, and the unanimous objection by the neighbors. The Board also kept in consideration the application is for the sub-division of two legal conforming lots and while open air and space is desirable the applicant can still build one large house without a variance.

Beth Nelson made a motion to deny the sub-division with a second from Susan Laymon.

Roll Call

AYES: Christine Beck, Robert McIntyre, Betsy Nelson, Beth Nelson, Joan Mattia

NAYS: Susan Laymon, Jane White, John Wesson, John Conti

ABSTAIN: Steve Gillingham

ABSENT: Denise Boughton

7. **ADJOURNMENT:** There being no further business, a motion was made by Jane White and seconded by Beth Nelson to adjourn the meeting at 9:08 pm. All present were in favor.

Respectfully submitted,

Kaitlyn Ippolito