

**Bay Head Planning Board**  
**November 19, 2014**

The meeting of the Bay Head Planning Board was held on Wednesday, November 19, 2014 at 7:00 PM at the G. Harold Antrim Elementary School, 401 Niblick Street, Point Pleasant Beach, NJ.

Mr. Furze read the following statement: "Pursuant to the applicable portions of the NJ Public Meetings Act, adequate notice of this meeting was mailed to the Ocean Star and posted in the corridor of the Borough of Bay Head and filed with the Bay Head Borough Clerk."

Roll Call: William Furze, Verity Frizzell, Kathleen Tell, Edward Convey, Bart Petrillo, Kathleen Wintersteen, John Henry Morris, Thomas Charlton, Frederick Applegate  
Absent: William Tubbs

Mr. Furze stated the Board had for review the continuation of the **application** of Atlantic Pier Company, Inc., 72 Bridge Avenue, a/k/a Block 25, Lot 4, Donna M. Jennings, Esq. as attorney for applicant, and Edward F. Liston, Jr., Esq. as attorney for several objectors.

Ms. Jennings called for rebuttal of expert witness **John Rea**, regarding objectors' expert witness Gordon Meth and as to a parking study. Mr. Rea was then cross-examined by Mr. Liston.

Ms. Frizzell had questions for other expert witnesses, namely **James Kennedy, P.E.** as to the date when Exhibit A-11, the aerial map, was taken, as well as a ballpark figure of the area underneath the building that will remain pervious. She also questioned **James Monteforte** regarding the enclosure of the rear stair. Ms. Tell also questioned Mr. Monteforte regarding the gating, and both she and Ms. Frizzell questioned the height of same. Ms. Tell questioned the materials to be used for the cladding around the elevator, and Mr. Monteforte also offered as to the piers being brick. Ms. Tell further questioned Mr. Monteforte regarding the 40 feet height versus 32 feet.

Mr. Furze asked the public if anyone had additional questions of Mr. Monteforte, based upon his testimony. The following audience members came forward:

**Winifred Dawson**, 74-76 Bridge Avenue, **Dee Curran**, 695 East Avenue, **Marylou Visceglia**, 461 Club Drive, **Bruce Whitney**, 420 Main Avenue, **Ellen Tobin**, 50 Bridge Avenue, **Evalyn Shippee**, 56 Bridge Avenue, **Shannon Curtis**, 1500 Bay Avenue, **Karen Simpson**, 401 Lake Avenue, **Alice Lyons**, 170 Woodland Avenue, **Harry Typaldos**, 345 Main Avenue, **Arrigo Conti**, 528 West Lake Avenue, **Paul Ames**, 46 Osborne Avenue, **Laura Coyle**, 1312 Bay Avenue, **Carol Tassini**, 193 Park Avenue, and **Roger Faulkenbury**, business owner at 58 Bridge Avenue.

After a ten minute break, Mr. Zabarsky explained that the applicant has an opportunity to give a summary statement, as do the interested parties who are represented by Mr. Liston. Mr. Zabarsky confirmed with Mr. Liston that one of the objectors, **William Treanor**, a licensed attorney in the State of New Jersey as well as Dean of Georgetown Law School, would give the summary statement.

Mr. Treanor stated for the record that he owns the house at 432 Lake Avenue. Mr. Treanor thanked the Board and everyone who attended the meetings over the past few months. He questioned whether the building of a 196 seat restaurant with a liquor license would change the character of Bay Head, and asked whether the plan was inconsistent with the character of the town, as well as pointed out the variances requested by applicant.

**Ms. Jennings** then gave a summary statement on behalf of the applicant, and requested the Board to grant preliminary and final major site plan approval, the conditional use variance, a height variance, and the 12 bulk variances so as to permit the construction of a 196 seat restaurant with no on-site parking.

After members of the Board were polled by Mr. Furze, the Board chairman, and after Mr. Zabarsky deciphered which Board members were eligible to vote and clarified the conditions to be met, a motion was made by Bart Petrillo and seconded by Kathleen Wintersteen to approve the application. Roll call: YEAS: Bart Petrillo, Kathleen Wintersteen, William Furze, Verity Frizzell, Kathleen Tell, Edward Convey, John Henry Morris.

A motion was made by Verity Frizzell and seconded by Kathleen Tell to approve the **vouchers**. All in favor.

The meeting adjourned on a motion by Kathleen Tell and seconded by Verity Frizzell. All in favor.

Respectfully submitted,

Claire S. Hense