

**ZONING BOARD OF ADJUSTMENT
MINUTES**

JULY 6, 2026

Meeting advertised according to the Sunshine Law
Notices have been published.

Roll call attending: Mr. Gleiberman, Mr. Ingber, Mr. Lankry, Mr. Naftali, Mr. Gross, Mr. Gelley
Absent: Mr. Ribiat
Arrived late: Mr. Friedland, Mr. Halberstam
Also attending: Patrick Varga, board attorney
Dave Magno, engineer
Fran Siegel, Secretary

Salute to the Flag

Motion to approve minutes of June 8, 2026 – Mr. Ingber

Second – Mr. Naftali

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

Appeal # 4389 – Ohel Gittel, 1070 Cross Street, Block 494 Lot 55, R-40 zone. Use variance for dormitory.

Miriam Weinstein, on behalf of applicant. Have been before this board with identical applications. Want to convert the existing residential homes and trailer into a Yeshiva and a dorm for post high school boys. This is a temp solution for this school.

Brian Flannery, sworn, engineer/planner

A-1 copy of sheet 103 tax map

A-2 plot plan submitted showing the existing school facility

An existing school – this area is proposed for the overlay zone. Reviewed the report from Mr. Vogt. This is an inherently beneficial use.

Mr. Gelley - No construction just dormitory usage.

Mr. Flannery – the existing building is already on the site. 91 boys for the dorm. They will provide board engineer with the plans.

Mr. Flannery this is a 6 ½ acre site – most of the site does not have buildings on it - the intent is to build a school

Mr. Ingber asked about fire safety.

Open to Public. Closed to Public.

Motion to approve – Mr Lankry

Second with the condition of fire safety – Mr. Ingber

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

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Appeal # 4392 – Henry Schuss, 183 Melville Avenue, Block 764 Lot 7, R-7.5 zone. To construct an addition.

Henry Schuss, 183 Melville Avenue, affirmed.

Mr. Schuss - Asking for cantilever encroaching in the side setback. No issue with neighbors. Have a letter from the adjacent neighbor. This house already has cantilevers. This is a 3 bedroom single family home. Everything else is conforming.

Open to Public. Closed to Public.

Motion to approve – Mr. Lankry

Second – Mr. Naftali

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

Appeal # 4394 – Samuel Fettman, 24 Yerek Drive, Block 189.05 Lot 140.12, R-7.5 zone. To construct a deck in the rear setback, required 20 feet – proposed 10 feet.

Miriam Weinstein represented applicant. For the construction of a deck in the rear yard in an existing home.

A-1 showing the existing lot on Yerek Drive

Ms. Weinstein –applicant is seeking relief for a 10 foot rear yard setback where 15 feet is required in the R-7.5 zone. The rear is on Ocean Avenue – this lot has 2 frontages. This is a reverse frontage lot – a lot which fronts upon two parallel streets and is not accessible from one of the parallel streets.

Samuel Fettman, affirmed. Want to build a trex deck. There is no neighbor in the back. The deck will be 22 x 20. Will not be in the easement. There is a deck there now but it is small.

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. Gross,
Mr. Gelley

Appeal # 4393 – Dovid Dick, 424 Laurel Avenue, Block 548 Lot 5, R-7.5 zone. To construct a duplex on a 9,500 sf lot where 10,000 sf is required.

Miriam Weinstein represented applicant. This application is to demo existing structure and construct a duplex. Asking for sideyard setback. One unit will be for Mr. Dick and one will be for his father in law – they need the side yard setback variance in order to install an elevator.

Yuda Back, engineer, affirmed.

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A-1 existing conditions

A-2 tax map – sheet 117

A-3 architectural plan

Mr. Back – the lot is 9,500 sf lot – asking for 2 story – each unit will have only 1 basement apartment. There will be only one outside entrance - 2 existing variance lot area, and lot width of 50 feet. Asking for side yard variance on one side of 6 feet where 7 feet is required. Window wells will be covered with grate.

Mr. Ingber - The plans show 2 basement entrances.

Open to Public. Closed to Public.

Motion to approve – Mr. Lankry

Second - Mr. Gleiberman

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

Abe Halberstam, Chairman arrived.

Appeal # 4387 – Rabin & Company, LLC, Nassau Street, Amsterdam, Columbus and Nostrand Avenue, Block 440.05 Lot 18-20, Block 440.06 Lots 8-11, Block 440.07 Lots 3-5, 45, 46.01-46.02, R-20/12C zone. Use variance to construct single family, detached and duplex residential units.

Samuel Brown, attorney for applicant, there are numerous applicants in this application.

Brian Flannery, engineer/planner.

A-1 sheet 89 of the tax map

A-2 color version of variance plan

A-3 use variance map – sf units and duplex units

A-4 showing duplexes under construction

A-5 aerial

Mr. Flannery - There are a total of 14 properties – all the property owners got together. Asking for the D variances tonight and then each applicant will come back with their own property. These are 10,000 sf lots. This is a R20/12C zone. This is a wooded area. This is a bifurcated application. Most of the properties are smaller. There will be duplexes and singles. All of the property owners are satisfied with this plan – 19 single family detached and 9 duplexes.

Mr. Brown – this is a mixed application of singles and duplexes. The applicant has no intention of asking for anything that is not there.

Mr. Flannery - Locked in by density 37 dwelling units.

Mr. Halberstam – this is a transition of duplexes into single families and duplexes.

Mr. Brown – this is locked in by density.

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Mr. Naftali - Make an LLC with one application.

Mr. Varga - Any future applicant can always return to the board. Deed restricted only for the 10,000 sf lots.

Mr. Gelley - This is an R-40 zone – why are we going down so far? There is enough duplexes and traffic.

Mr. Halberstam - How many 6,000 sf lots are there?

Mr. Ingber - Every owner will get the lot size that they want. Each person will have to get a subdivision. Who is responsible for the road and the street.

Mr. Flannery – the first guy that comes in. 18-808D. Will satisfy RVE if the board acts favorable.

Mr. Halberstam – have an issue – suggested that they all come in together so that we can do one site plan. Do not want to see a full line of duplexes.

Mr. Varga – will you treat each one as a minor subdivision?

Dave Magno - The first guy is going to build the road – that is crazy. Each section should have minimum requirements. Why isn't there a subdivision.

Mr. Flannery - Because there is 9 different owners.

Mr. Naftali – this application is in the R-20 zone R/12 cluster – this is way over dense – there are 9 applicants. Putting band aids all over the place. Not ready to approve any duplexes. This is a complete mess. There is no clarity. Do it properly now.

Chairman – why don't you come in with one subdivision?

Mr. Flannery - because there is nine applicants.

Mr. Halberstam – I happen to think that this should be approved.

Mr. Naftali – come in with a proper application.

Open to Public.

Aaron Hirsch – Mountain Drive, affirmed. Wants to build duplexes in the R-20 zone where they are prohibited. This is too congested. There is no storm water management, no survey, no plans, etc. ask the board to deny this application. This is what the town is suffering from.

Closed to Public.

Mr. Gelley - Agree with Mr. Naftali's comments. Come back with a single family home development.

Mr. Flannery - The lot lines now some are real and some are phantom.

Motion to deny - Mr. Naftali

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Sam Brown, attorney for applicant requested that this be carried until the August 24th zoning Board meeting for purposes of clarity.

Mr. Varga – motion on the floor

Chairman asked for a new motion.

Motion to table and come back with a better plan and renote for the August 24th meeting –
Mr. Gelley

Second – Mr. Ingber

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

Nays: Mr. Naftali

Appeal # 4307A (4383) – Chestnut Equity, LLC, Route 70 between Evergreen Blvd and Woodcrest Avenue, Block 1087, lots 3, 8-10, 25, 27-29, Block 1088 Lot 2, Block 1089 Lots 1-4, 6. Use variance approved 4/1/24 for 4 story apartment building.

Chairman announced that there were only 6 members.

Miriam Weinstein represented applicant. This application is for site plan approval. Applicant received use variance approval in 2024. Now here for site plan approval for a 4 story apartment building 54 2 bedroom, 23 3 bedroom apartments. Applicant added 2 lots for parking and drainage. Asking to reaffirm the use variance. Shul, play area on site -self contained site.

Brian Flannery, engineer/planner, sworn.

A-1 sheet 143 showing subject property with properties added

A-2 aerial

A-3 circulation plan

A-4 rendered copy of site plan showing the proposed building

A-5 site plan not rendered

A-6 architectural plan

Mr. Flannery – reviewed Mr. Vogts report - plan is for a 4 story apartment building – requires 150 parking spaces 160 provided. One bulk variance of 84.39 feet from Route 70 ordinance requires 100 feet – lot coverage 30% required. HVAC equipment will be roof mounted. This will provide the needed housing facilities.

Mr. Halberstam – concerned about a bus drop off on the property.

Scott Kennell, traffic engineer, sworn. Site plan details are specific for the school bus area. They can add no stopping and standing signs. This site was designed for the busses to make a right turn in and a right turn out. Not providing a sidewalk from Route 70 to the site.

Chairman – where are the garbage receptacles?

Mr. Flannery – internal storage for the private pick-up.

Chairman - The façade is beautiful.

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John Saricco – architect, sworn. There are 33 – 2 bedroom without a study 23 2 bedroom with studies – catering towards larger families – provided a large playground and shul. Described the units. Each floor has a trash chute. There are 2 stroller rooms. There are private storage bins – one for each unit. There is a courtyard and a playroom and a bicycle room. Elevator goes down to the basement.

Open to Public.

Aaron Hirsch, Mountainview Drive, affirmed – concerned also about the kids getting off the bus. This approval is currently by the appellate division. One of the lots that you gave an approval to does not even exist.

Mr. Hirsch asked Mr. Flannery – Chestnut equities is his client. Don't know if he owns all the properties.

Mr. Varga – application has been deemed complete. This is an amended use variance.

Mr. Hirsch – use variance approved with a ground floor community center. 4 ADA parking does not comply.

Mr. Flannery – it will be resolved during resolution compliance. Street vacations are done by the governing agency.

Mr. Hirsch -The application was changed.

Closed to Public.

Mr. Varga - Applicant proceeds at his own risk.

Motion to approve site plan – Mr. Gelley

Second- Mr. Gleiberman

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

Appeal # 4391 - 560 Cross Street, LLC, 560 Cross Street, Block 524.30 Lot 6.01, M-1 zone. 71 lot subdivision with 66 residential lots for duplexes, 3 stormwater lots, 1 lot for retail/office and 1 house of worship.

Miriam Weinstein, represented applicant. Duplexes are not permitted and is seeking a use variance.

Brian Flannery, engineer/planner sworn.

A-1 copy of sheet 98 of the tax map

A-2 aerial showing subject property

A-3 architectural plans for residential

A-4 school and mixed use building

A-5 existing conditions

A-6 architectural for the mixed use building

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Mr. Flannery reviewed report - This 14.51 acre parcel – Use variance relief is necessary. Lots are all different - smallest lot is consistent with an R-7.5 zone. The architectural plans shows various options. Parking provided will adequately cover the units. Plans are conceptual. Will comply with RSIS requirements. This plan does show access on Augusta Blvd. The deed clearly states that Augusta Blvd should be a public road. They will work with the board to provide buffers.

Chairman -Think this application is too dense for Cross Street.

Mr. Naftali – stores might eliminate some of the traffic in the area. A school would be a worse alternative.

Scott Kennel, traffic engineer, sworn. Was at the meeting with the County – they are widening Cross Street to 5 lanes and will be going out to bid this year.

Mr. Gelley – come back when the road is widened.

Open to Public.

Rothstein, 33 Eagle Ridge Circle, affirmed. This area is so over built – traffic is horrendous. This would be literally in his backyard. Not in favor of this application.

Joyce Deutsch, 8 Wellington Lane, affirmed. The duplexes are going to have 9 bedrooms. Please shelf this project until there are 5 lanes on Cross Street.

Yisroel Gross, 97 Skyline Drive, affirmed . Live 2 houses off Augusta Blvd. Have to ride my bike to shul – traffic is impossible.

Susan Frenkel, 37 Eagle Ridge Circle, affirmed – cannot get out on Cross Street. 1200 units will be going on the Golf Course.

Irving Friedman, 203 Skyline, affirmed – The only way out of this new complex will be Augusta.

Lorraine Soroka, 54 Winding River Road, sworn. Concerned that there will be loads of children and using Augusta as a playground.

Diane Kurtz, 4 Pine Valley Court, sworn/affirmed. 33 buildings – 132 families 264 cars, will there be enough parking? Fairways has 3.3 homes per acre. This proposal has 10.25 homes per acre is way too many per acre.

Abraham Grinberger, 164 Enclave Blvd., affirmed. Want this project so my kids could live next to me.

Jeffrey Berkowitz, 73 Eagle Ridge, affirmed. This application is for a use variance. Applicant must prove that there is no detriment.

Aaron Hirsch, 146 Mountainview Drive, affirmed. This is an industrial zone. Residential does not belong in this zone.

Gleiberman, affirmed. live in Lakewood and want to live here.

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Closed to Public.

Shmuel Grinberger, owner of the property - want to meet with the people of Fairways to discuss.

Motion to deny – Mr. Gelley

Second – Mr. Gleiberman

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

Nayes: Mr. Naftali

Appeal # 4395 – 1127 CL, LLC, 1127 East County Line Road, Block 183 Lot 101, R-15 zone.
Use variance for construction of an office building.

Moshe Klein, represented applicant – application is for a 2 story office building. Lot currently approved for a school and a dormitory. These are existing approved lots.

Brian Flannery, engineer/planner, sworn

A-1 sheet 44 of the tax map -this property was subdivided by the Planning Board. Utility lines that go through. Yeshiva fell through.

A-2 aerial showing subject property – the JCP & L lines go through the site and consume the area of the property – suited for parking not buildings

A-3 copy of filed map creating lots and 1.01 – 1.09 and 1.01 was approved for a Yeshiva, 2 buildings and parking

A-4 color version of variance map

A-5 variance map

A-6 office building plan

Mr. Flannery – property in the R-15 zone where office buildings are not permitted. Proposing 2 story office building with 133 parking spaces. They will provide fencing for a buffer. Upper windows will be frosted. County Line Road is a major collecting road. The office building would be a rateable for the town. A simcha hall in the basement – events would not co-inside with the office hours. There is a need for a simcha hall. Trash and recyclables would be private pick up.

Chairman - Parking in easement ok with JCP& L

Mr. Flannery – approved by JCP & L

Chairman - This application will continue on August 24th.

Motion to continue on August 24

All in favor.

Appeal # 4396 – Joel Kleinman – will be heard on August 24th no further notice and a waiver of time

All in favor.

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Resolutions

Appeal # 4380 – SK Prospect Cross Lakewood, LLC. Prospect Street, Block 490 Lot 1.02, M-1 one. Resolution to approve major subdivision for duplexes.
All in favor.

Appeal # 4346A – 1000 Route 70 KV, LLC, Route 70, Block 1248 Lot 7, B-5 zone. Resolution to approve a mixed use multi family development.

Motion to pay bills.
All in favor

Motion to adjourn.
All in favor.

Meeting adjourned at 11:15 P.M.

Respectfully submitted,

Francine Siegel
Secretary