

**February 7, 2024
Zoning Board of Adjustment Special Meeting Minutes
Township of Berkeley
627 Pinewald-Keswick Rd P.O. Box B Bayville, NJ 08721**

6:30PM

SALUTE TO THE FLAG

Chairman Elliott called the February 7th Zoning Board of Adjustment special meeting to order at 6:00PM and asked everyone to please rise for the flag salute and a moment of silence.

SUNSHINE ACT STATEMENT

Chairman Elliott announced: "This meeting was advertised in the Asbury Park Press on January 24, 2024, and in The Press of Atlantic City on January 25, 2024. It has been posted on the Bulletin Board in the Clerk's Office as well as on the Township Website as required by the Open Public Meetings Act."

ROLL CALL

Present: Chairman Elliott, Mr. Bombardier, Mr. Ferrara, Mr. Gudaitis, Mr. Hyland Mr. McGrath, Mr. Morey, Mr. Sager, Mr. Stone, and Mrs. Walsh

Absent: Mr. Mika

Professionals Present from the Municipality: Alex Pavliv from Pavliv & Rihacek, LLC and Melanie Adamson from Remington and Vernick Engineers

Shawn Hyland was sworn in as Alternate Member #4, with a term expiring 12/31/2025.

EXECUTIVE SESSION @ 6:00PM

Alex Pavliv, the Board's attorney, read the resolution to bring the Board into executive session regarding attorney-client privilege matters.

AGENDA

Allard 21, LLC – BOA#22-5980

Location: 6 Allard Road Block 858 Lot 27.02

Type of Application: Use Variance and Site Plan

Attorney: Gary Forshner, Esq.

Jonathan Silverstein, Berkeley Township's JIF attorney, explained the details of this hearing. He explained the non-validity of the Township's Ordinance regarding detox facilities and the connection to the ADA. It is unlawful to discriminate against those recovering from addiction.

On a motion by Chairman Elliott, seconded by Mr. Gudaitis, with all present in favor, the application was open to the public.

Approximately eight neighbors spoke regarding this case. They questioned the security and safety of the neighborhood with this implementation. Many did not understand why the Ordinance no longer was being followed, and questioned why the Plaintiff chose not to elaborate on details.

On a motion by Mr. Gudaitis, seconded by Mr. Bombardier, with all present in favor, the application was closed to the public.

On a motion by Mr. Gudaitis seconded by Mr. Bombardier, with all present in favor, the settlement agreement was approved.

RESOLUTION

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the resolution for BOA#22-5980 was approved.

VOUCHERS

Alexander Pavliv, Esquire

Remington & Vernick

Linda Sullivan Hill

On a motion by Mr. Gudaitis, seconded by Mr. McGrath, with all present in favor, the bills were approved.