

**BRANT BEACH, NEW JERSEY  
APRIL 12, 2017**

A Regular Public Meeting of the Land Use Board of the Township of Long Beach was held in the Multi-Purpose Room in the Administration Building, 6805 Long Beach Boulevard, Brant Beach, New Jersey on the above date.

The meeting was called to order at 7:00 P.M.

**Mr. A. P. Sicheri, Board Attorney**, made the following announcement: “This is a regular meeting of the Long Beach Township Land Use Board, notice of which was posted on the Bulletin Board in the Municipal Clerk’s office and advertised in the Beach Haven Times and Asbury Park Press and filed with the Municipal Clerk on or before January 1, 2017 as required by the Open Public Meeting Act.”

Members of the Board present: **Mrs. V.E. Applegate, R. H. Bayard, E. J. Hummel as Mayor’s Designee, R. Pingaro, D.S. Southwick, R. S. VanBuren and J.C. Konnor** presiding.

Members of the Board absent: **J. A. Leonetti, Mrs. L. J. Schnell and Mayor J. H. Mancini.**

Alternate members of the Board present: **P. M. Moran and R. B. Roth, Jr.**

Alternate members of the Board absent: **R. L. Jones.**

Also present were the following: **Mr. A. P. Sicheri, Esq., Board Attorney, Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. S. L. Bongiovani, Clerk.**

**(Tape #645 - Side 1)**

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Mr. Sicheri gave a brief overview of the applications to be considered:

**1. #LUB-16-17: SKIMMONS (Block 20.61, Lot 1): 52 Bayview Avenue, Loveladies:** Mr. Sicheri stated that the applicants proposed to construct an in-ground swimming pool and circular fire pit both of which would require variances for an encroachment into the required setbacks from Harbor Lane and Bayview Avenue.

**2. #LUB-20-17: GIOVATTO (Block 12.18, Lot 9) 124 East Sand Dune Lane, Peahala Park:** Mr. Sicheri stated that the applicants were proposing to retain a six (6) foot fence in the front yard of the existing single family home which required a bulk variance for front yard setback.

**Mr. Sicheri made the following announcements:**

**1. #LUB-15-17: GENOVESE (Block 12.13, Lot 23) 30 West Ocean View Drive, Peahala Park:** Mr. Sicheri stated that the application would be carried to the May 10, 2017 meeting at 7:00 P.M. and that no further notice was required.

2. **#LUB-18-17: CIBOROWSKI & COMPANY, INC. (Block 12.06, Lot 13.01) 24 East Mariners Lane, Peahala Park:** Mr. Sicheri stated that the application would be carried to the June 14, 2017 meeting at 7:00 P.M. and that no further notice was required.

3. **#LUB-19-17-PF: BRANT BEACH YACHT CLUB (Block 15.28, Lot 1) 6106 Bayview Avenue, Brant Beach:** Mr. Sicheri stated that the application would be carried to the May 10, 2017 meeting at 7:00 P.M. and that no further notice was required.

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Minutes of the meeting held February 8, 2017 were presented for approval. **Roth** moved, seconded by **Pingaro** for adoption. **Bayard, Pingaro, VanBuren and Roth** all voted **YES**.

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**Mr. Konnor noted that there were two applications to be considered, as follows:**

(1) **#LUB-16-17                      LOVELADIES**

**RANDY AND DEBRA SKIMMONS**

Owners & Applicants  
Block 20.61, Lot 1

**Mr. and Mrs. Skimmons represented themselves, were sworn and evidence was marked as follows:** Application and Attachments, **#A-1**, and, Variance Map prepared by Nelke/Tyszka Land Surveyors, LLC. dated February 2, 2017, **#A-2**. Mrs. Skimmons stated that they were requesting variances to permit the installation of a swimming pool.

**Mr. Thomas J. Scangarello, Licensed Professional Planner in the State of New Jersey** was sworn and submitted a Google Earth photograph of the subject property, marked **#A-3**. Mr. Scangarello described the irregularly shaped lot with frontage on two streets noting that there was not a back yard. He stated that the owners proposed a pool and a fire pit that would technical be located in the front yard and that the Township Ordinance did not permit accessory structures to be located in the front yard. Mr. Scangarello noted that a Landscaping Plan had been prepared by Bay Avenue Plant Company, marked **#A-4**, which proposed landscape screening around the pool. He stated that the proposed pool was a permitted accessory use and that the benefits of the application outweighed any detriments. He noted that bulk variances were required for the front yard setback. He stated that the pool and landscaping design would enhance both the visual and aesthetic environment and add value to the property and neighborhood. He noted that impervious coverage was far under what the ordinance allowed and that a plan would be submitted to show that the grading was such that it would not allow runoff to any adjoining properties. Mr. Scangarello submitted a photograph of the landscaping and fence, marked **#A-5**. Mr. Scangarello submitted a photograph of existing fence, marked **#A-6**.

The Board discussed the existing fencing and the proposed fire pit. The proposed fire pit was eliminated.

**Ms. Patricia Aresty of 72 Bayview Avenue** was sworn and stated her concerns with flooding and the site triangle.

**Ms. Adrienne Martin of 68 Bayview Avenue** was sworn and testified that she did not feel that there was a hardship in this situation and stated her concerns with flooding.

**Ms. Aeryn Fenton of 40 Harbor Lane** was sworn and stated her concerns with the flooding in the area and asked if a grading plan would be submitted.

**The Public session was closed.**

Mr. Scangarello stated that no additional storm water runoff would be created by the proposed development.

**(Tape #645 - Side 2)**

The Board discussed the flooding issues and stated that a drainage plan reviewed by the Board Engineer would be required prior to a permit being issued. They noted that they did not see any negative impact to the neighborhood.

**Moran moved, seconded by Applegate to approve the application without the firepit.** The following roll call vote was recorded: **Applegate, Bayard, Konnor, Hummel, Pingaro, Southwick, VanBuren, Moran and Roth** all voted **YES**.

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(2) **#LUB-20-17** PEAHALA PARK

**MARIO AND MARYBETH GIOVATTO**

Owners & Applicants

Block 12.18, Lot 9

**Mr. Stuart Snyder, Esquire of Surf City, New Jersey represented the applicants and evidence was marked as follows:** Application and Attachments, **#A-1**, Variance map prepared by Dante Guzzi Engineering Associates dated February 27, 2017, **#A-2**, and, Courtesy Inspection Notice from the Township of Long Beach Zoning Office issued December 16, 2016, **#A-3**. Mr. Snyder stated that the applicants had constructed a new home in 2014 and then installed a six foot high fence in the front yard. Mr. Snyder stated that the applicants utilized the side yard for their outdoor living and the fence was used as a privacy screen. Mr. Snyder submitted a photograph of the location of the fence with the No Parking Zone sign beyond, marked **#A-4**. He stated that the fence did not interfere with cars or traffic. He noted that the fence had existed for a couple of years and that the applicants did not know there was an issue until they received the courtesy violation notice. Mr. Snyder stated that the applicants were requesting a bulk variance to allow the fence to remain in the front yard. He stated that the fence posed no detriment and offered privacy from the pedestrian traffic to the beach.

**Mr. Scott Brown, P.L.S., P.E.**, with the firm of Dante Guzzi Engineering Associates of Medford, New Jersey was sworn and described the property and the existing fence.

Mr. Mario Giovatto, Owner of the property was sworn and testified that the fence was installed in the same location as a prior fence and he was not aware that he needed a permit or was in violation until he received the notice. He stated that there would be no privacy in their yard without the fence and that no one had complained about the fence.

**The Public Session was closed.**

The Board felt that the request was minimal and understood the need for the fence. The Board noted that the fence company should have obtained a permit.

**Moran moved, seconded by Applegate to approve the application as submitted.** The following roll call vote was recorded: **Applegate, Bayard, Konnor, Hummel, Pingaro, Southwick, VanBuren, Moran and Roth** all voted **YES**.

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Mr. Konnor listed the following **Resolutions of Memorialization**:

1. **#LUB-10-17: PSM REAL ESTATE, LLC** – Resolution of Approval moved by **Bayard** seconded by **Roth**. The following roll call vote was recorded: **Bayard, Pingaro, VanBuren and Roth** all voted **YES**.
2. **#LUB-11-17: CASTALDO** – Resolution of Approval moved by **Bayard** seconded by **Hummel**. The following roll call vote was recorded: **Bayard, Hummel, Pingaro, VanBuren and Moran** all voted **YES**.
3. **#LUB-13-17: MOORE** – Resolution of Approval moved by **Hummel** seconded by **Bayard**. The following roll call vote was recorded: **Bayard, Hummel, Pingaro, VanBuren and Roth** all voted **YES**.
4. **#LUB-14-17: CHIARAVALLATI** – Resolution of Denial moved by **Pingaro** seconded by **Bayard**. The following roll call vote was recorded: **Bayard, Hummel, Pingaro, VanBuren, Moran and Roth** all voted **YES**.

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The Board approved the payment of the Board Attorney and Board Engineer bills.

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The meeting was adjourned at 8:20 P.M.

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**JEFFREY C. KONNOR**  
**VICE CHAIRMAN**