

**BRANT BEACH, NEW JERSEY
SEPTEMBER 13, 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, J.C. Konnor, J. A. Leonetti, E. J. Hummel as Mayor’s Designee, D.S. Southwick, R. S. VanBuren, and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **R. H. Bayard, Mayor J. H. Mancini and R. Pingaro.**

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

Alternate members of the Board absent: **None.**

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

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(Tape #656 - Side 1)

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

1. #LUB-32-17-PF: ISLAND’S END, L.L.C. (Block 1.13, Lots 4, 21-25; Block 1.16, Lots 2-7, 12, 14-18; Block 1.19, Lots 6–9, 11-19): Mr. Sicheri stated that the application was for preliminary and final subdivision approval, bulk variances, special reasons variance as well as waivers requested. Mr. Sicheri stated that due to the nature of the application that the Board should consider granting only preliminary approval if the application were to be approved. Mr. Sicheri described the blocks and lots involved in the application and noted that the applicant was seeking to establish 41 lots on the property which would require a special reasons variance for density. Mr. Sicheri reviewed the bulk variances and waivers required for the proposed subdivision and noted that Mr. Little’s review letter would be addressed.

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Minutes of the meeting held August 9, 2017 were presented for approval. **Roth** moved, seconded by **Konnor** for adoption. **Konnor, Leonetti, Hummel, Schnell, Southwick, VanBuren**

Jones and Roth all voted YES.

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Mrs. Schnell listed the following **Resolutions of Memorialization**:

1. **#LUB-26-17: JOZANOVIC** – Resolution of Approval moved by **Southwick**, seconded by **Leonetti**. The following roll call vote was recorded: **Konnor, Leonetti, Schnell, Southwick and VanBuren** all voted YES.
2. **#LUB-29-17: SKIPPER** – Resolution of Denial moved by **Jones**, seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, Schnell, Southwick VanBuren and Jones** all voted YES.
3. **#LUB-31-17: AGOGLIA** – Resolution of Denial moved by **Hummel**, seconded by **Southwick**. The following roll call vote was recorded: **Konnor, Hummel, Schnell, Southwick, VanBuren, Jones and Roth** all voted YES.

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Mr. Hummel stepped down from the Board for the evening.

Mrs. Schnell noted that there was one application to be considered, as follows:

(1) **#LUB-32-17-PF** **HOLGATE**

ISLAND’S END, L.L.C.
Applicant
LONG BEACH ISLAND TRAILER PARK
Owner
Block 1.13, Lots 4; 21-25
Block 1.16, Lots 2-7; 12; 14-18
Block 1.19, Lots 6-9; 11-19

Mr. Nicholas F. Talvacchia, Esquire with the firm of Cooper, Levenson, P.A. of Atlantic City, New Jersey represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, two page Final Plat prepared by FWH Associates, P.A. dated August 11, 2017, **#A-2**, fourteen page Preliminary and Final Major Subdivision prepared by FWH Associates, P.A. dated August 7, 2017, revised August 30, 2017, **#A-3**, Storm Water Management Report with a one page Post Development Drainage Area Plan prepared by FWH Associates, P.A. dated August 3, 2017 and revised August 30, 2017, **#A-4**, Traffic Impact Analysis Report prepared by McDonough and Rea Associates, Inc., dated August 7, 2017 and revised August 30, 2017, **#A-5**, and Review letter from Frank J. Little, Jr., P.E. dated September 6, 2017, **#B-1**. Mr. Talvacchia stated that they had received and reviewed the Board Engineer’s review letter and that they accepted all the comments from Mr. Little with one clarification. Mr. Talvacchia noted that it would be necessary to go on private property to complete the topography survey and asked if the survey could be completed from accessing public areas. Mr. Little replied that it would be fine to do the survey from public areas and that a partial waiver could be granted should the application

be approved. Mr. Little also advised that the Board only consider the variances and preliminary approval this evening and if approved, hear the final at another time when additional items required could be reviewed. Mr. Talvacchia stated that they would withdraw for this evening, the request for final subdivision approval.

Mr. Talvacchia stated that the subdivision was proposed on the site of the former LBI Trailer Park which had been destroyed by Super Storm Sandy and today is vacant ground. He noted that the site was scattered over a three block area and totaled 4.86 acres. He stated that the property would be taken from a trailer park to a single family development. Mr. Talvacchia stated that the proposed development would match the existing pattern of development. He noted that if the subdivision were compliant that it would be out of character for the area.

Mr. Brian Murphy P.E., P.P of FWH Associates in Toms River, New Jersey was sworn and testified that his firm had prepared the subdivision under his direction. Mr. Murphy submitted a Google Earth aerial exhibit of the area, marked #A-6. He described the exhibit and noted that 41 single family lots were proposed for the site. Mr. Murphy submitted a color rendering of Sheet # 4 marked, #A-7. Mr. Murphy stated that four parking spaces would be provided on each lot, with the exception of lot 7.01 which would have the required two parking spaces. Mr. Murphy stated that the site currently did not have stormwater management and that bioretention swales were proposed for the property. Mr. Murphy described the proposed stormwater system. Mr. Little stated that CAFRA had been approving the method on other subdivisions.

Mr. Murphy described the various proposed lots and lot sizes. Mr. Murphy stated that there were 36 proposed lots that were at least 5,000 square feet in area. Mr. Murphy describe the proposed density for the subdivision and the need for the special reasons variance. He stated that one front yard setback variance was requested for lot 7.01, an existing forty foot corner lot. Mr. Murphy submitted a color rendering of Sheet 4 indicating that 68 of the 109, or 62% of the existing lots were 5,000 square feet or less within 200 feet of the site, marked #A-8. Mr. Murphy submitted a color rendering indicating that 67 of the 109 lots within 200 feet were 50 feet or less in width, marked #A-9. He submitted a color rendering of all lots that were less than 6,000 square feet and 60 feet of lot width, marked #A-10. Mr. Murphy noted that the lots in the proposed subdivision were in keeping and consistent with the character of the neighborhood.

Mr. Scott Kennel with the firm of McDonough and Rea Associates, Inc. of Manasquan, NJ was sworn and qualified as an expert in traffic planning. Mr. Kennel stated that as part of the data collection it included a field visit to inventory traffic conditions and conducted manual turn movement counts on Friday, July 21, 2017 during morning and afternoon peak hours. He stated that the proposed subdivision would generate an additional five trips in the morning and seven in the afternoon. Mr. Kennel concluded that traffic would operate safely and efficiently with an excellent level of service on the streets adjacent to the subdivision. He noted that the traffic study had been submitted to the Ocean County Planning Board.

Mr. Michael Pagnotta, Architect and Developer of the property was sworn and testified that the homes would be of a design that would be appropriate for the neighborhood. He noted that the new homes would be of a consistent uniformity and high quality.

(Tape #656 – Side 2)

Mr. Pagnotta described the architectural plans and the homes proposed for the subdivision.

Mr. Pagnotta stated that the homes would conform to all bulk requirements except for lot 7.01. Mr. Talvacchia stated that if the application were approved, binding architectural standards with materials, colors and samples of designs could be submitted. Mr. Pagnotta submitted sample floor plans, marked **#A-11 and #A-12**. Mr. Pagnotta submitted elevations of the proposed homes, marked **#A-13**. He submitted a color rendering of the daytime elevation, marked **#A-14** and a color rendering of the nighttime elevation, marked **#A-15**.

Mr. Murphy addressed the variances requested and noted that the project would promote a desirable visual environment and would be an upgrade for the community. Mr. Murphy discussed the density proposed. He stated that the light, air and open space would be increased by the lot size proposed. He noted that continuity would be provided throughout the neighborhood as two thirds of the lots in the area were the same size or smaller. Mr. Murphy addressed the stand alone forty foot lot, 7.01. He noted that there was not any additional property available to make it conforming. He stated that the front yard setback for the lot was requested to make a reasonably wide house and to accommodate garage space and parking. It was noted that setbacks of eleven and five feet would still allow for a twenty-four foot wide house on lot 7.01.

The proposed parking was addressed and it was noted that three outdoor parking spaces per lot would be preferable. Mr. Talvacchia stated that three parking spaces could be shown on the final map.

Mr. Murphy addressed Mr. Little's review letter and the waivers required. The curbs and sidewalks were discussed.

(Tape #657 – Side 3)

Mr. Murphy described the specific variances requested by block and lot.

Mr. Kevin Kelly of 9 West Pershing Avenue, Holgate was sworn and stated his concerns with the setback on 7.01 and whether it would set a precedence and the Board replied that it would not. Mr. Kelly asked that there be no more street lighting.

Ms. Mary Ann Hurley of 4804 South Long Beach Boulevard, Holgate was sworn and testified that the sidewalk that she had installed was the only one in the area, that other properties did not have sidewalks.

Mr. Bill Hutson of 23 West Washington Avenue, Holgate was sworn and testified that there would be many less cars with this proposal than the previously existing trailer park and did not think that sidewalks and additional lighting were necessary.

Ms. Eileen Boker of 5404 South Long Beach Boulevard, Holgate was sworn and testified that she was in favor of the plan.

Ms. Mary Ann Haviland of 3 Washington Avenue, Holgate was sworn and stated her concerns with parking.

Ms. Betty Jelich of Julia Avenue, Holgate was sworn and testified that she felt that the subdivision could be made more conforming and stated her concerns with parking.

The Public Session was closed.

Mr. Talvacchia stated that the lots sizes were appropriate for this area.

The Board noted that since parking was a concern to the neighbors, that if additional parking was addressed in the final subdivision that they would be in favor. It was noted that from the testimony of the neighbors that sidewalk and lighting waivers would be appropriate for the area. The Board felt that the proposal would be an aesthetic improvement for the large empty lots and that the traffic would be less intensive than with the prior use. The Board noted that they would like design standards submitted by the Architect for review by the Board.

Moran moved, seconded by Leonetti to approve the special reasons variance as to density. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, Southwick, VanBuren and Moran all voted **YES**.

Moran moved, seconded by Southwick to approve bulk variances and design waivers for lot area and lot width and a bulk variance to permit an eleven foot front yard setback for lot 7.01 in Block 1.16 subject to the Architect providing Architectural Design Standards, providing three outdoor parking spaces and providing setbacks on lot 7.01 of five and eleven feet. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, Southwick, VanBuren and Moran all voted **YES**.

Moran moved, seconded by Leonetti to approve a partial design waiver of the contours, design waivers from the lighting and sidewalk requirements and the preliminary subdivision portion of the application. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, Southwick, VanBuren and Moran 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 8:50 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN