

**BRANT BEACH, NEW JERSEY  
MAY 9, 2018**

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, 2018 as required by the Open Public Meeting Act.”

The Board welcomed new member Brian R. Farias as Alternate #4. Mr. Sicheri swore in Mr. Farias and Mrs. Applegate.

Members of the Board present: **Mrs. V.E. Applegate, J.A. Leonetti, E.J. Hummel as Mayor’s Designee, R. Pingaro and R.S. VanBuren presiding.**

Members of the Board absent: **R.H. Bayard, J.C. Konnor, Mayor J.H. Mancini, D.S. Southwick and Mrs. L.J. Schnell.**

Alternate members of the Board present: **R.L. Jones, R.J. Stewart and B.R. Farias.**

Alternate members of the Board absent: **R.B. Roth, Jr.**

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.**

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**(Tape #667 - Side 1)**

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

**1. #LUB-11-18: ELLER (Block 1.92, Lot 11) 2803 West Avenue, Holgate:** Mr. Sicheri stated that the applicants proposed to construct an elevator shaft on the south side of the existing single family home which required a combined side yard setback variance.

**2. #LUB-12-18: GRIECO (Block 6.23, Lot 10) 130 East South 31<sup>st</sup> Street, Beach Haven Gardens:** Mr. Sicheri stated that the applicant proposed to demolish the existing duplex structure and construct a new duplex which required a bulk variance for front yard setback as well as a special reasons variance.

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Minutes of the meeting held April 11, 2018 were presented for approval. **Pingaro** moved, seconded by **Hummel** for adoption. **Hummel, Pingaro, VanBuren and Stewart** all voted **YES**.

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

1. **#LUB-9-18: 40D LONG BEACH BOULEVARD, LLC** – Resolution of Approval moved by **Hummel**, seconded by **Pingaro**. The following roll call vote was recorded: **Hummel, Pingaro, VanBuren and Stewart** all voted **YES**.

2. **#LUB-10-18: 2015 ATLANTIC AVENUE LLP** – Resolution of Approval moved by **Pingaro**, seconded by **Hummel**. The following roll call vote was recorded: **Hummel, Pingaro, VanBuren and Stewart** all voted **YES**.

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

(1) **#LUB-11-18**                     **HOLGATE**

**JAMES J. AND JULIANNE M. ELLER**

Owners and Applicants

Block 1.92, Lot 11

**Mr. James Raban, Esquire of Haven Beach, NJ** represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, Variance Map prepared by Nelke/Tyszka Land Surveyors, LLC dated March 12, 2018, **#A-2**, Four page architectural drawing prepared by Craig W. Brearley, A.I.A., Architect dated March 15, 2018, **#A-3**. Mr. Raban stated that the applicants proposed to add an elevator shaft which required a combined side yard setback variance of 14.11 feet where 15 feet was required. Mr. Raban noted that the existing rear shed which had nonconforming setbacks would remain.

**Mr. Craig W. Brearley, Architect of Manahawkin, New Jersey** was sworn and testified that the home was being expanded and that an elevator addition was proposed for the right, rear side of the home. Mr. Brearley stated that the elevator addition was proposed in a location that was not detrimental to the neighboring properties and that would not interfere with utilities. Mr. Brearley stated that the need for the variance was caused by the unusual shape of the lot.

**Mrs. Julianne Eller and Mr. James Eller, applicants** were sworn and testified that they had neglected to install an elevator in 2010 when the home was constructed. Mrs. Eller stated that the house was on pilings and that accessing the house by stairs was becoming an issue.

**The Public Session was closed.**

The Board felt that the irregular shaped lot caused a hardship and that the elevator addition blended with the design of the home.

**Applegate moved, seconded by Stewart to approve the application as submitted. The following roll call vote was recorded: Applegate, Leonetti, Hummel, Pingaro, VanBuren, Jones, Stewart and Farias all voted YES.**

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

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**(2) #LUB-12-18 BEACH HAVEN GARDENS**

**NICHOLAS GRIECO**

Owner & Applicant

Block 6.23, Lot 10

**Mr. Richard Visotcky, Esquire of Manahawkin, NJ represented the applicants and evidence was marked as follows:** Application and Attachments, #A-1, Variance Map prepared by Horn, Tyson and Yoder, Inc. dated April 13, 2018, #A-2, and, three page architectural drawing prepared by Craig W. Brearley, A.I.A., Architect dated April 17, 2018, #A-3. Mr. Visotcky stated that it was proposed to remove the existing duplex structure and to construct a new, more conforming duplex. Mr. Visotcky stated that the only variance required would be for front yard setback. He noted that the existing nonconforming front yard setback on Atlantic Avenue and the nonconforming side yard setback would be eliminated and that the structure would be removed from the sight triangle.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson & Yoder, Inc.** was sworn and described the existing property to the Board. Mr. Brzozowski stated that the overall width and length of the structure would be reduced and would reduce lot coverage. Mr. Brzozowski submitted and described photographs of the property marked #A-4 and #A-5. Mr. Brzozowski stated that the duplex would not be out of character for the neighborhood and noted that the proposed home would fit on an interior lot but that corner lots were more restrictive.

**Mr. Craig Brearley, Architect of Manahawkin, NJ,** was sworn and described the proposed plans to the Board. Mr. Brearley stated that a small apartment was proposed for the first floor. Mr. Brearley stated that the elevator use was strictly for the upper unit and did not connect to the smaller unit.

**Mr. Nicholas Grieco, owner** was sworn and testified that the property was his primary residence and that he purchased the property in 1996. He noted that the elevator was strictly for his use.

**(Tape #667 – Side 2)**

**Mr. Michael Chico, adjoining property owner,** was sworn and testified that he was concerned that the new construction would block his view of the ocean.

**Mr. Eugene Smolinski of 2914 Atlantic Avenue,** was sworn and testified that he was in favor

of the application.

**Mr. Kevin Mahoney of 3010 Atlantic Avenue**, was sworn and testified that he was in favor of the application.

**Mr. Richard Hart of 110 E. South 31<sup>st</sup> Street** was sworn and testified that he was in favor of the application.

**The Public Session was closed.**

The Board was in favor of the application noting that the footprint of the home would decrease and that the new structure would be out of the site triangle.

**Pingaro moved, seconded by Leonetti to approve the application as submitted.** The following roll call vote was recorded: **Applegate, Leonetti, Pingaro, VanBuren, Jones, Stewart and Farias** all voted **YES**.

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Under **New Business**, the Board discussed proposed Ordinance **#18-16C** and recommended to the Commissioners that the proposed Ordinance not be adopted as currently written and recommended several revisions. **Jones moved, seconded by Stewart to recommend that the Ordinance not be adopted as currently written.** The following roll call vote was recorded: **Applegate, Leonetti, Pingaro, VanBuren, Jones, Stewart and Farias** all voted **YES**.

**(Tape #668 – Side 3)**

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Under **Old Business**, Mr. James Raban, Esquire, requested that the **Recine Application (LUB-8-18)** scheduled for June be carried to the July 11, 2018 meeting. Mr. Raban stated that he would renote for the July meeting date.

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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 8:27 P.M.

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**ROBERT S. VANBUREN  
ACTING CHAIRPERSON**