

**BRANT BEACH, NEW JERSEY
DECEMBER 12, 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.”

Members of the Board present: **Mrs. V.E. Applegate, J.A. Leonetti, 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: **R.H. Bayard, Mayor J.H. Mancini, and Mrs. L.J. Schnell.**

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

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

Also present were the following: **Mr. A.P. Sicheri, Esq., Board Attorney, Mr. Frank 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 #683 - Side 1)

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

1. #LUB-31-18: BARRY (Block 18.107, Lot 1) 1107A Long Beach Boulevard, North Beach: Mr. Sicheri stated that the applicants proposed to construct an entry terrace on the single family home which was currently under construction. Mr. Sicheri noted that side yard setback and combined side yard setback variances were required.

2. #LUB-32-18: PHELAN (Block 18.04, Lot 3) 1004C Long Beach Boulevard, North Beach: Mr. Sicheri stated that the applicant proposed to construct a rear deck on the existing duplex structure which required a bulk variance for rear yard setback as well as a special reasons variance.

3. #LUB-33-18-PF: RECHENBERG (Block 15.30, Lot 18) 6403 Long Beach Boulevard, Brant Beach: Mr. Sicheri stated that the applicant proposed to demolish the existing residential portion of the mixed commercial use building and construct a new single family home to be

attached to the existing restaurant. Mr. Sicheri stated that the proposal required major site plan and bulk variance approval.

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Minutes of the meeting held October 10, 2018 were presented for approval. **Roth** moved, seconded by **Applegate** for adoption. **The motion was approved by voice vote.**

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

1. #LUB-28-18: WILSON – Resolution of Approval moved by **Pingaro**, seconded by **Hummel**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Pingaro, Southwick, VanBuren and Jones** all voted YES.

2. #LUB-29-18: HEIMLICH – Resolution of Approval moved by **Jones**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Pingaro, Southwick, VanBuren and Jones** all voted YES.

3. #LUB-30-18: MOODIE – Resolution of Approval moved by **Hummel**, seconded by **Southwick**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Pingaro, Southwick, VanBuren and Jones** all voted YES.

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

(1) **#LUB-23-18-PF** **HOLGATE**

SEAN MAXWELL AND MARK W. DAVIES

Applicants

HOLGATE MARINE SERVICES, LLC

Owners

Block 1.48, Lots 34 & 34.01

Mr. Sicheri announced that the notice for the above application was insufficient.

Southwick moved, seconded by Pingaro to carry the application to the January 9, 2019 meeting without a fee. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Pingaro, Southwick, VanBuren, Jones, Roth, Stewart and Farias** all voted YES.

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(2) #LUB-31-18 NORTH BEACH

MICHAEL AND JENNIFER BARRY

Owners and Applicants

Block 18.107, Lot 1

Mrs. Jennifer Barry represented herself and evidence was marked as follows: Application and Attachments, #A-1, Three page Variance Map prepared by Insite Engineering, LLC dated October 2, 2018, #A-2, Eight page architectural drawing prepared by Kang Modern Architecture and Design dated February 28, 2017 with a revision date of October 4, 2018, #A-3.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc. was sworn and testified that Insite Engineering had prepared the Variance Map and that he would be providing planning testimony. Mr. Brzozowski submitted photographs marked, #A-4 which Mrs. Barry described. Mr. Brzozowski stated that the applicant proposed an entry deck, grill and shower on the north side of the structure. He stated that the entry deck would give relief to the seventy foot wall adjacent to the easement as well as provide a buffer from the easement for the living and pool area on the east side of the house. Mr. Brzozowski stated that the proposal required variances for setback from the easement and combined side yard setback. Mr. Brzozowski described the Variance Map that had been submitted and spoke of the exceptional narrowness of the lot for the area. He noted that the next structure was almost eighty feet away.

(Tape #683 – Side 2)

Mr. Gregory Scott Karn, with the firm of Kang Modern Architecture and Design was sworn and qualified. Mr. Karn described the proposed plans to the Board. He stated that the proposal of the screen wall created architectural interest and that the proposed outdoor kitchen would be on the same level as the main floor.

The Board discussed the proposed plans with the architect and noted that if the application were approved that a revised survey should be submitted.

The Public Session was closed.

Mrs. Barry requested that the application be approved as submitted.

The Board felt that the proposal made sense for the design of the home and would be in favor with the condition that the deck never be enclosed. The Board noted that the survey should be updated for clarity of the location of the fence and pool deck.

(Tape #684 – Side 3)

Pingaro moved, seconded by Hummel to approve the application with the condition that revised engineering plans are submitted and that the applicants record a Deed Restriction prohibiting any enclosure or roofing over of the deck. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Pingaro, Southwick, VanBuren, Jones and Roth** all voted **YES**.

Mr. Hummel stepped down from the Board for the following application:

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(3) #LUB-32-18 NORTH BEACH

LAWRENCE T. AND JOANNE PHELAN

Owners & Applicants

Block 18.04, Lot 3

Mr. Robert J. Kiss, Esquire of Surf City, 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 June 12, 2018 and revised November 5, 2018, #A-2, and, six page architectural drawing prepared by Jay Madden, Architect dated October 22, 2018, #A-3. Mr. Kiss stated that it was proposed to update the existing duplex structure and to construct a new deck and steps which required a rear yard setback variance.

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 there was a detached garage on the property to the north that would act as a buffer from the proposed deck. Mr. Brzozowski stated that there would be no negative impact from the proposal on the neighboring property.

Mr. Jay Madden, Architect of Harvey Cedars, NJ, was sworn and described the proposed plans to the Board. Mr. Madden stated that it was proposed to add a dining area and renovate the kitchen on each floor of the existing duplex. Mr. Madden noted that the first floor of the duplex had a yard area to gather outdoors and that the proposed deck would allow the occupants of the second floor to have a grilling area and a place to gather outdoors. He noted that there would be no changes to the bedroom area. It was noted that the deck and stairs would provide a safer means of egress from the second floor unit.

The Public Session was closed.

The Board was in favor of the application noted that the proposal provided for safer egress.

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

Mr. Hummel rejoined the Board.

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(4) #LUB-33-18-PF BRANT BEACH

MR. THOMAS RECHENBERG

Owner and Applicant

Block 15.30, Lot 18

Mr. James S. Raban, Esquire of Haven Beach, NJ represented the applicant and evidence was marked as follows: Application and Attachments, #A-1, Site Plan and Existing Conditions Map prepared by East Coast Engineering Inc. dated October 18, 2018 with the latest revision date of November 29, 2018, #A-2, Four page Architectural Drawings prepared by Craig W. Brearley, A.I.A. Architect dated October 23, 2018, #A-3, and, Review Letter to the Board from Frank J. Little, Jr., P.E. dated December 4, 2018, #B-1. Mr. Raban stated that the property, known as the Custard Hut, currently has a one story commercial structure with a one story single family dwelling connected to the rear of it. Mr. Raban noted that it was proposed to demolish the one story dwelling connected to the rear of the restaurant and construct a new two story residential dwelling. He stated that there were not any changes proposed to the commercial structure and that the only variance required was for lot coverage.

Mr. Jason M. Marciano, Licensed Professional Engineer in the State of New Jersey and with the firm of East Coast Engineering, Inc. in Toms River, New Jersey, was sworn. Mr. Raban stated that he had noticed for a parking variance but that one was not required. Mr. Marciano described the existing property to the Board and the proposed plans to the Board. Mr. Marciano stated that the first floor elevation of the new structure would be above the base flood elevation with ample garage space to provide for off street parking.

(Tape #684 – Side 4)

Mr. Marciano stated that the setbacks complied with the zoning requirements. He noted that the existing shed would be removed and that an existing storage trailer would be removed after construction. Mr. Marciano stated that the proposed lot coverage exceeded the allowable coverage by 1.1% or 96 square feet but felt that the structure was not too big for the lot. Mr. Raban stated that the lot coverage was exceeded by the size of the walk-in refrigerator.

Mr. Marciano addressed Mr. Little's review letter.

The Public Session was closed.

Mr. Raban stated that the one variance requested was minimal and noted that the location of the structure had no impact on the surrounding properties. He requested that the application be approved as submitted.

The Board discussed the proposed lot coverage and the location of the storage trailer. The Board noted that the request was minimal.

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

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Under **New Business**, the Board discussed a request from Mr. Stuart Snyder, Esquire, regarding an extension of time for the **Willow Pond, Formerly Known as Rose M. Weber, LP (LUB-37-17) Minor Subdivision Application.** **Roth moved, seconded by Pingaro to approve the Extension of Time for 190 days.** The following roll call vote was recorded: **Applegate, Konnor,**

Leonetti, Hummel, Pingaro, Southwick, VanBuren, Jones, Roth, Stewart and Farias all voted YES.

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Under **Discussion**, the Board reviewed The End of Year Report submitted by the committee. **Roth moved, seconded by Applegate to approve the End of Year Report.** The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Pingaro, Southwick, VanBuren, Jones, Roth, Stewart and Farias 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 8:45 P.M.

**JEFFREY C. KONNOR
VICE CHAIRPERSON**