

**BRANT BEACH, NEW JERSEY**  
**April 10, 2019**

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, 2019 as required by the Open Public Meeting Act."

Members of the Board present: **E.J. Hummel as Mayor's Designee, D.S. Southwick, R. S. VanBuren, R. L. Jones and J.C. Konnor, presiding.**

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

Alternate members of the Board present: **R.B. Roth, Jr., R.J. Stewart, B. R. Farias and Mrs. P.M. Caplicki.**

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

Also present were the following: **A.P. Sicheri, Esq., Board Attorney, F. J. Little, Jr., P.E., P.P., Board Engineer and Mrs. S. L. Bongiovani, Clerk.**

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**(Tape #694 - Side 1)**

Minutes of the meeting held February 13, 2019 were presented for approval. **Roth** moved, seconded by **Stewart** for adoption. **VanBuren, Jones, Roth, Stewart and Caplicki** all voted **YES.**

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

**1. #LUB-8-19: SPIRO (Block 15.65, Lot 2) 5505 Ocean Boulevard, Brant Beach:** Mr. Sicheri stated that the applicants were requesting a bulk variance for lot coverage to permit the construction of an elevator tower on the north side of the existing structure. Mr. Sicheri noted that there was an existing grade level deck encroaching into the right of way which was not shown on the as-built survey.

**2. #LUB-9-19: BUCHALTER (Block 20.172, Lot 1) 41 Holly Drive, Loveladies:** Mr. Sicheri stated that the applicant was proposing to construct a two story addition over the footprint

of an existing deck which required a bulk variance for lot coverage.

**3. #LUB-7-19: LBI GROUP, LLC (Block 6.23, Lots 12 & 13) 118 East South 31<sup>st</sup> Street, Beach Haven Gardens:** Mr. Sichei stated that the applicant proposed to demolish the existing duplex and subdivide the property into two lots which required bulk variances and waivers for lot coverage and lot frontage.

**4. #LUB-10-19: HOLLAND (Block 6.22, Lot 6) 21 East 30<sup>th</sup> Street, Beach Haven Gardens:** Mr. Sichei stated that the applicants proposed to demolish the existing single family home and to construct a new single family home which required bulk variances for distance between structures.

**5. #LUB-11-19: CALABRESE (Block 15.29, Lot 12) 6401 Bayview Avenue, Brant Beach:** Mr. Sichei stated that he had a conflict with this application and would be stepping down on this application. Mr. Sichei stated that the proposal required bulk and special reasons variance approval.

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

**1. #LUB-3-19: CATALANO** – Resolution of Approval moved by **Hummel**, seconded by **VanBuren**. The following roll call vote was recorded: **Hummel, VanBuren, Roth, Stewart, Farias and Caplicki** all voted **YES**.

**2. #LUB-4-19: HOULIHAN** – Resolution of Approval moved by **Roth**, seconded by **VanBuren**. The following roll call vote was recorded: **VanBuren, Roth, Stewart, Farias and Caplicki** all voted **YES**.

**3. #LUB-5-19: PETERMAN** – Resolution of Approval moved by **VanBuren**, seconded by **Roth**. The following roll call vote was recorded: **VanBuren, Roth, Stewart, Farias and Caplicki** all voted **YES**.

**4. #LUB-6-19-PF: MEYER SHORE, LLC** – Resolution of Approval moved by **Roth**, seconded by **Farias**. The following roll call vote was recorded: **VanBuren, Roth, Stewart, Farias and Caplicki** all voted **YES**.

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**Mr. Sichei stepped down from the Board for the following application and Mr. J. Raban, Esquire joined the Board. Mr. Hummel and Mr. Konnor stepped down from the Board and Mr. VanBuren stepped in as Chairperson.**

**(1) #LUB-11-19 BRANT BEACH**

**FRANK AND DEBORAH CALABRESE**

Owners & Applicants

Block 15.29, Lot 12

**Mr. Richard Visotcky, Esquire of Manahawkin, NJ represented the applicants and evidence was marked as follows:** Application and Attachments, #A-1, Variance Plan prepared by Dante Guzzi, P.E. dated January 28, 2019 with the latest revision dated February 22, 2019, #A-2, Two page architectural drawings prepared by Architectural Integrity LLC dated January 29, 2019, #A-3, and, Letter from Mary Gallagher dated March 28, 2019, owner of unit 2, consenting to the application, #B-1. Mr. Visotcky stated that the property was currently a triplex use and that his clients owned the duplex structure which they proposed to convert to a single family home. He stated that the applicants proposed an addition on the south side of the home to house an internal stairway. He noted that the only way to access the upper floor was by an outside stairway and that to complete the conversion to a single family home, interior access to both floors was necessary. He stated that bulk variances were required for front and side yard setback as well as lot coverage. Mr. Visotcky stated that a special reasons variance was also requested since there was another unit on the property.

**Mr. Sean McGovern, Architect with the firm of Architectural Integrity LLC of Manahawkin, NJ** was sworn and described the proposed plans to the Board. Mr. McGovern stated that the proposed stairway was as minimal as possible and in the proper location for the layout of the home. Mr. Visotcky submitted photographs of the property, marked #A-4 and #A-5.

**Mr. Helbig, P.P., with the firm of Guzzi Engineering Associates in Medford, NJ** was sworn and qualified. Mr. Helbig stated that there would be two dwelling units on the lot and therefore required a "D" variance. He stated that the lot was oversized and that both structures were of a modest size. He stated that the proposed stair tower was approximately ninety square feet and was a modest expansion. He noted that there were pre-existing nonconforming setbacks on the property. Mr. Helbig stated that safety was promoted on the site with a second form of egress from the home and that the proposal would not have any detrimental effect to the surrounding property owners.

**Mr. Frank Calabrese, Owner & Applicant** was sworn and stated that when he purchased the property that he intended to make the property a single family home for their personal use year round.

**Ms. Judy Bacon of 12 West Dupont Avenue** was sworn and asked what made the property nonconforming and Mr. Raban replied that it was the number of units on the property. Ms. Bacon asked about the increased lot coverage caused by the location of the stairs and Mr. McGovern stated that it would be hard to locate the stairs within the footprint of the modest home. She stated she was not in favor of adding more lot coverage.

**(Tape #694 – Side 2)**

**The Public Session was closed.**

The Board noted that the density was being reduced on the property from three units to two units and noted that the impervious coverage was well under what was allowed by ordinance.

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

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**Mr. Sicheri rejoined the Board and Mr. Raban stepped down from the Board. Mr. Hummel and Mr. Konnor rejoined the Board.**

**(2) #LUB-7-19 BEACH HAVEN GARDENS**

**LBI GROUP, LLC**  
Owner & Applicant  
Block 6.23, Lots 12 & 13

**Mr. Richard Visotcky, Esquire of Manahawkin, NJ represented the applicants and evidence was marked as follows:** Application and Attachments, **#A-1**, Minor Subdivision Plan prepared by Horn, Tyson & Yoder dated October 17, 2018, **#A-2**, Three page Architectural Drawings for lot 12 prepared by Craig W. Brearley, A.I.A., Architect dated January 21, 2019, **#A-3**, Three page Architectural Drawings for lot 13 prepared by Craig W. Brearley, A.I.A., Architect dated January 21, 2019, **#A-4**, and, Review letter to the Board from Frank J. Little, Jr., P.E. dated April 2, 2019, **#B-1**. Mr. Visotcky stated that the property currently contained a duplex on the 7,200 square foot lot. Mr. Visotcky stated that it was proposed to demolish the existing duplex and subdivide the property into two lots each containing a single family home.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.** was sworn and described the existing property to the Board. Mr. Brzozowski stated that the duplex and existing garage would be removed and that it was proposed to subdivide the property into two 40 foot by 90 foot lots. Mr. Brzozowski reviewed the proposal with the Board and stated that the proposed subdivision did not meet the Township formula but did fit in with the neighborhood. Mr. Visotcky submitted photographs, marked **#A-5**. Mr. Little's review letter was discussed. Mr. Little stated that he did not object to the request for a waiver from the sidewalk requirements.

**Mr. Craig Brearley, Architect in Manahawkin, NJ** was sworn and described the proposed plans to the Board. Mr. Brearley stated that plans submitted were representative of what could be built on the proposed lots but would conform to all zoning requirements.

**Mr. Nick Grieco, Applicant** was sworn and testified that the proposed homes would conform to all zoning requirements and that the existing duplex had four bedrooms downstairs and three bedrooms upstairs.

**Norman Isabelle of 3009 Atlantic Avenue** was sworn and testified that he did not have any objection to the application.

**Eugene Smolenski of 2914 Atlantic Avenue** was sworn and testified he had no issues with the application stating that the proposal would be an enhancement to the neighborhood.

**Richard DeHart of 100 East South 31<sup>st</sup> Street** was sworn and testified that he was in favor of the application and would rather see two homes than one large duplex.

**Dave Kleeschulte of 115 East 33<sup>rd</sup> Street** was sworn and testified that the application was a positive for the neighborhood.

**The Public Session was closed.**

The majority of the Board felt that the proposal would be an improvement to the neighborhood.

**(Tape #695 - Side 3)**

**Hummel moved, seconded by Southwick to approve the application as submitted with a waiver of sidewalks. The following roll call vote was recorded: Konnor, Hummel, Southwick, VanBuren, Roth, Stewart, Farias and Caplicki voted YES. Jones voted NO. The motion carried.**

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

**(3) #LUB-9-19 LOVELADIES**

**JEFFREY BUCHALTER**

Owner and Applicant

Block 20.172, Lot 1

**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 October 29, 2018 with the latest revision date of January 30, 2019, #A-2, and, three page Architectural drawing prepared by Jay Madden Architect dated February 13, 2019, #A-3. Mr. Visotcky described the changes proposed to the deck area and noted that a bulk variance for lot coverage of 26.9% was proposed.

**Mr. Jay Madden, architect of Harvey Cedars, NJ** was sworn and described the proposed plans to the Board. Mr. Madden stated that the applicants were hoping to construct a new porch to create privacy from the boat traffic along the lagoon while enjoying the view of the bay. Mr. Madden stated that the variance was for approximately two hundred feet of area and noted that the porch would remain open. Mr. Visotcky submitted photographs of the property, marked #A-4 and #A-5.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.** was sworn and described the existing property to the Board. Mr. Brzozowski stated that the property was surrounded by water on three sides. Mr. Brzozowski noted that the construction of the deck as proposed would increase the lot coverage to 26.1% where 25% is allowed. He noted that the deck addition would be tucked behind an existing garage and the location would minimize the impact on the subject and surrounding property.

**The Public Session was closed.**

The Board felt that the proposal on the oversized lot would not have any adverse impact on the surrounding properties.

**Southwick moved, seconded by Roth to approve the application as submitted.**

The following roll call vote was recorded: **Konnor, Hummel, Southwick, VanBuren, Jones, Roth and Stewart** all voted **YES**.

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**(4) #LUB-8-19 BRANT BEACH**

**SUSAN AND SCOTT SPIRO**

Owners and Applicants  
Block 15.65, Lot 2

**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 December 6, 2018 with the latest revision date of February 4, 2019, **#A-2**, three page Architectural drawing prepared by Jay Madden Architect dated November 15, 2018 with the latest revision date of January 4, 2019, **#A-3**, and, note from JoAnne Tallon, Zoning Officer, **#A-4**. Mr. Visotcky stated that the applicants proposed an elevator tower to be located within the side yard setback but required a variance for lot coverage. Mr. Visotcky submitted a rendering of the elevations of the proposed and existing structure, marked **#A-5**.

**Mr. Jay Madden, architect of Harvey Cedars, NJ** was sworn and described the proposed plans to the Board. Mr. Madden stated that the applicants proposed to add eleven square feet to the footprint of the home to allow for an elevator addition without disturbing a lot of the interior. Mr. Visotcky submitted photographs of the property, marked **#A-6**. Mr. Madden described the pictures and noted the proposed location of the elevator.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.** was sworn and described the existing property to the Board. The existing and proposed lot coverage were discussed.

**Mrs. Susan Spiro and Mr. Scott Spiro, Applicants** were sworn and testified that the wood platform shown on the plan was a temporary structure that was used to place his solar telescope. They stated that the elevator would allow for easier access to the home. Mr. Spiro stated that he would remove the platform.

**The Public Session was closed.**

The Board felt that the proposed elevator would not have an adverse impact on the surrounding properties and if approved, it should be with the condition that the platform located east of the building line be removed.

**(Tape #695 – Side 4)**

**Southwick moved, seconded by Roth to approve the application with the condition that the platform be removed.** The following roll call vote was recorded: **Konnor, Hummel, Southwick, VanBuren, Jones, Roth and Stewart** all voted **YES**.

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**ROBERT D. AND JOANNE HOLLAND**

Owners & Applicants

Block 6.22, Lot 6

**Mr. James S. Raban, Esquire of Haven Beach, NJ represented the applicants and evidence was marked as follows:** Application and Attachments, #A-1, Variance Map prepared by Gravatt Consulting Group dated January 14, 2019, #A-2, and, three page Architectural Drawings prepared by Craig W. Brearley, A.I.A., Architect dated January 11, 2019, #A-3. Mr. Raban stated that the applicants proposed to demolish the existing cape which was built in 1955 and construct a new single family home as their full time residence.

**Mr. Bruce Jacobs, P.E. with the firm of Gravatt Consulting Group in Forked River, NJ** was sworn. Mr. Raban submitted photographs of the property, marked #A-4. Mr. Gravatt described the photographs of the existing property. Mr. Jacobs stated that the new two story dwellings would meet all bulk requirements except for the proposed distance between structures on the easterly property line. Mr. Jacobs stated that the home to the east was only 2.8 feet from the property line and noted that the distance between structures would be improved. Mr. Raban stated that if the existing nonconformity did not exist on the property to the east that the proposal would be conforming. Mr. Jacobs stated that the two side yards would remain completely open as the air conditioner platforms were being located in the rear yard.

**Mr. Craig Brearley, Architect in Manahawkin, NJ** was sworn and described the proposed plans to the Board. Mr. Brearley stated that currently there were seven nonconformities and that six of them would be eliminated and one would be improved. Mr. Brearley stated that the new structure would comply with all building codes and be a safer structure than existed.

**The Public Session was closed.**

The Board noted that the proposal would improve many of the nonconformities as well as be an improvement to the neighborhood and that the applicant's property was encumbered by the location of the home to the east.

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

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Under **New Business** the Board discussed proposed Ordinance #19-11C. **Roth moved, seconded by VanBuren to approve Ordinance #19-11C as proposed.** The motion was approved by voice vote.

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Under **Correspondence** the Board addressed the request for an extension of time for **Worden-Ferri (LUB-20-18).** **Hummel moved, seconded by Roth to grant a 90 Day extension of time.**

**The motion was approved by voice vote.**

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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 9:23 P.M.

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**JEFFREY C. KONNOR  
CHAIRMAN**