

**BRANT BEACH, NEW JERSEY
JANUARY 8, 2014**

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, 2014 as required by the Open Public Meeting Act.”

Members of the Board present: **Mrs. V. E. Applegate, J. A. Leonetti, R. Pingaro, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **Commissioner R. H. Bayard, J. C. Konnor, Mayor J. H. Mancini and R. R. Monaco as Mayor’s Designee.**

Alternate members of the Board present: **R. L. Jones and E. J. Hummel.**

Alternate members of the Board absent: **P. M. Moran and R. Andreotta.**

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

(Tape #552 - Side 1)

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

(1) #LUB-44-13: LOALBO (Block 12.22, Lot 14) 16 West 88th Street, Peahala Park: Mr. Sicheri stated that the applicants proposed to demolish the existing single family home and construct a new single family home which required bulk variances for distance between structures and combined yard setback. Mr. Sicheri noted that the application had been held over from the December meeting and that the revised plans reflected a greater distance between structures.

(2) #LUB-1-14: JANKOWSKI (Block 8.06, Lot 2) 12704 Long Beach Boulevard, The Dunes: Mr. Sicheri stated that the applicants proposed to raise the existing single family home and construct covered porches in the front and rear of the building. Mr. Sicheri noted that bulk variances were required for front yard setback and lot coverage.

(3) #LUB-2-14: MURTHA (Block 12.19, Lot 14) 8910 Long Beach Boulevard, Peahala Park: Mr. Sicheri stated that the applicant proposed to construct an addition on the existing single family home which required variances for front yard setback, combined side yard setback, rear yard setback, distance between structures and lot coverage.

(4) #LUB-3-14: VECCHIONE (Block 4.42, Lot 16) 16 East 20th Street, North Beach Haven: Mr. Sicheri stated that the applicant proposed to demolish the existing duplex structure and construct a new single family home which required bulk variances for side yard and combined side yard setbacks as well as distance between structures.

(5) #LUB-4-14: PASLOWSKI (Block 1.31, Lot 14) 5 West Jacqueline Avenue, Holgate: Mr. Sicheri stated that the applicant proposed to demolish the existing single family home and construct a new single family home which required variances for lot area and width but would comply with all other bulk variance requirements.

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Mr. Sicheri announced that the reorganization of the Board would take place and noted that three members of the Board, Mr. Pingaro, Mrs. Applegate and Mr. Hummel had been sworn in.

Mr. Sicheri asked for a nomination for **Chairman. Southwick moved, seconded by Jones to nominate Lynne J. Schnell.** The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Southwick, VanBuren, Jones and Hummel all voted **YES.** Schnell abstained.

Chairman Schnell asked for a motion for **Vice Chairman. Southwick moved, seconded by Jones to nominate Jeffrey C. Konnor.** The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES.**

Chairman Schnell asked for a motion for **Secretary. Jones moved, seconded by Southwick to nominate Ronald Pingaro.** The following roll call vote was recorded: Applegate, Leonetti, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES.** Pingaro Abstained.

Chairman Schnell asked for a motion for **Board Attorney. Southwick moved, seconded by Applegate to retain Carol Sicheri, Esquire with the firm, Sicheri and Sicheri, P.C..** The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES.**

Chairman Schnell asked for a motion for **Board Engineer. Southwick moved, seconded by Jones to retain Frank J. Little, Jr., P.E. with the firm of Owen, Little and Associates Inc..** The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES.**

Chairman Schnell asked for a motion for **official newspapers**. **Southwick moved, seconded by Applegate to retain the Beach Haven Times and Asbury Park Press as the official newspapers.** The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES**.

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

1. **#LUB-43-13: DALE** – Resolution of Approval moved by **Southwick**, seconded by **Leonetti**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell, Southwick and Jones all voted YES.**
2. **#LUB-45-13: VENNE** - Resolution of Approval moved by **Southwick**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell, Southwick and Jones all voted YES.**
3. **#LUB-46-13: SHERMAN AND PALUMBO** – Resolution of Approval moved by **Southwick**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell, Southwick and Jones all voted YES.**
4. **#LUB-47-13: DeTHY** – Resolution of Approval moved by **Southwick**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell, Southwick and Jones all voted YES.**
5. **#LUB-48-13: KING** - Resolution of Approval moved by **Applegate**, seconded by **Leonetti**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell, Southwick and Jones all voted YES.**

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Mrs. Schnell noted that there were five applications to be considered, as follows:

(1) **#LUB-44-13** PEAHALA PARK

RICHARD & ERIN LOALBO

Owners and Applicants
Block 12.22, Lot 14

Mr. Sicheri noted that the application had been held over from the December 11, 2013 meeting.

Mr. Richard Loalbo, represented himself, was sworn and evidence was marked as follows: Revised Variance Plan prepared by Horn, Tyson and Yoder, Inc. bearing the latest

revision date of December 20, 2013, #A-6, four page pile and girder plan prepared by Adamson, Riva and Leply dated December 19, 2013, #A-7 and, Certification from Ronald Pingaro, Board Member, that he listened to the December 11, 2013 portion of the meeting regarding the LoAlbo Application, #B-1.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and stated that the proposed width of the house had been reduced and that the plans had been revised to reflect the change. Mr. Brzozowski stated that the proposed new home would have improved setbacks and that two existing nonconformities would be eliminated.

Mr. LoAlbo stated that a second means of egress would be from the back deck instead of underneath the home as originally planned.

The Public Session was closed.

The Board approved of the plan as revised.

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

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(2) #LUB-1-14 THE DUNES

GARY & ROSEMARIE JANKOWSKI

Owners and Applicants

Block 8.06, Lot 2

Mr. James E. Schroeder, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Map prepared by MCH Engineering, dated November 26, 2013, #A-2 and, two page architectural drawing prepared by K4 Design, LLC dated September 10, 2013, #A-3.

Mr. Matthew Hockenbury, P.E., with the firm of MCH Engineering, LLC, was sworn and qualified. Mr. Hockenbury described the existing property and noted that the applicants were in the process of raising the structure. Mr. Hockenbury described the front and rear porches that the applicant proposed to construct on the raised structure.

Mr. Charles Brandt, Building Contractor and Mr. Gary Jankowski, Owner, were sworn. Mr. Brandt described the proposed stairways, noting that the stairways had intermediate landings for ease of negotiation and were covered for protection from the elements. He noted that the length of the front stairway was to facilitate ease of access from the driveway.

(Tape #552 – Side 2)

The Board discussed the proposed lot coverage. Mr. Brandt stated that he would make an effort to reduce the size of the stairs.

The Public Session was closed.

Mr. Schroeder requested that the application be approved as submitted.

The Board felt that the additional means of egress would promote safety and that the front entryway would be aesthetically pleasing.

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

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(3) #LUB-2-14 PEAHALA PARK

PAUL MURTHA
Owner and Applicant
Block 12.19, Lot 14

Mr. Eric P. LeBouef, Esquire, represented the applicant and evidence was marked as follows: Application and Attachments, #A-1, Variance Map prepared by Horn, Tyson and Yoder, Inc., dated July 2, 2013, #A-2 and, three page architectural plan prepared by The Sibona Group dated November 15, 2013, #A-3. Mr. LeBouef stated that the house was being raised due to the storm and noted that there were several pre-existing nonconformities on the property.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property. Mr. Brzozowski stated that it was proposed to raise the house five feet and infill an area between an existing porch and the main house. Mr. Brzozowski stated that the proposed stairway would allow for a second means of egress. He noted that the side yard setback would be amended to show the setback to the staircase. He noted that the proposed infill area would dress up the house and keep the area from becoming a debris collector.

Mr. Vince Sibona, Architect was sworn and described the proposed plans. The Board discussed the height of the first floor and the infilled area of the house.

(Tape #553 – Side 3)

The Public Session was closed.

Mr. LeBouef stated that the Variance Map would be revised to reflect the correct setbacks.

The Board discussed the proposal and noted that the majority of the nonconformities were pre-existing and were in favor of the application.

Southwick moved, seconded by Leonetti to approve the application as submitted with the condition that a revised Variance Map be submitted. The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES**.

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The Board took a five-minute recess.

(4) #LUB-3-14 NORTH BEACH HAVEN

PAUL T. & ADRIENNE D. VECCHIONE

Owners and Applicants

Block 4.42, Lot 16

Mr. Richard P. Visotcky, Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Variance Map prepared by Gravatt Consulting Group dated September 2, 2013, bearing the latest revision date of December 17, 2013, **#A-2** and, architectural plan prepared by Studio Tagland Designs, L.L.C. dated November 27, 2013, **#A-3**. Mr. Visotcky stated that it was proposed to replace the storm damaged structure with a new single family home. Mr. Visotcky stated that the distance between structures would be improved.

Mr. Bruce Jacobs, P.E., with the firm of Gravatt Consulting Group, was sworn and described the existing property. He submitted an aerial photograph of the property, marked **#A-5**. Mr. Visotcky submitted a photograph of the streetscape marked, **#A-6**. He described the proposed variances requested. Mr. Visotcky stated that the existing structure was a duplex and that a single family home was proposed, which would eliminate a nonconforming use.

Mr. David Gaffin, Architect with the firm of Studio Tagland was sworn and described the proposed plans. Mr. Gaffin stated that the proposed outdoor shower would be reduced to conform with the Township Ordinance. Mr. Visotcky stipulated that the future elevator would not go to the roof top deck.

The Public Session was closed.

The Board felt that the proposed single family home was a vast improvement over the current structure and noted that the nonconforming duplex use would be eliminated.

Southwick moved, seconded by Pingaro to approve the application as submitted, with the conditions that the proposed outdoor shower be brought into conformity and

that the proposed elevator not go to the rooftop deck. The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES**.

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(5) #LUB-4-14 HOLGATE

JENNIFER PASLOWSKI

Owner and Applicant

Block 1.31, Lot 14

Mr. Robert J. Kiss, Esquire, represented the applicant and evidence was marked as follows: Application and Attachments (including supplemental information sheet), **#A-1**, Plot Plan with variances prepared by Kevin E. Shelly, P.E., dated December 2, 2013, **#A-2**, four page modular home plan prepared by Signature Building Systems of PA, LLC dated October 30, 2013 with revisions dated November 12, 2013, **#A-3**, and, photographs of the property before the storm, **#A-4**. Mr. Kiss stated that the applicant had demolished the home that had existed on the undersized lot, due to the storm. Mr. Kiss stated that the applicant proposed a modest two bedroom home which required variances for lot area and width as well as distance between structures. He noted that the structure on the adjacent lot was located only a few feet from the property line and that the application was a classic hardship variance due to the size of the property.

Mr. Kevin E. Shelly, Licensed Professional Engineer in the State of New Jersey, with the firm of MidAtlantic Engineering Partners, LLC was sworn and testified that the survey provided accurately depicted the location of both the prior and proposed homes. He stated that the proposed front setback was based on the average of the setback of the structures on either side. Mr. Shelly stated that many of the lots in the area were of similar size and that parking would be provided underneath the house.

The Board questioned whether parking could be accommodated under the home and noted that a piling plan would have addressed that question.

(Tape #553 – Side 4)

Ms. Jennifer Paslowski, Owner was sworn and testified that she planned to replace the two bedroom home that had been demolished with a similar sized two bedroom home.

The Board discussed the proposed plans and the entrance from underneath the home. The Board suggested that a better second means of egress would be from a back deck.

Ms. Julia Kanek, owner of Select Modular Homes was sworn and testified that the stairs to the home were built on site by a contractor and stated that whether the stairs were enclosed or open would be up to the homeowner.

Mr. Sal Mazella, adjacent neighbor to the west, was sworn and testified that he was in favor of the application.

The Public Session was closed.

Mr. Kiss requested that the application be held over to provide additional information to the Board.

Southwick moved, seconded by Applegate to hold the application over to the March 12, 2014 meeting without a fee. The following roll call vote was recorded: Applegate, Leonetti, Pingaro, Schnell, Southwick, VanBuren, Jones and Hummel all voted **YES**.

Mr. Sicheri announced that the application would be held over to the March 12, 2014 meeting and that no further notice would be necessary.

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Under **New Business**, the Board discussed proposed Ordinance **#13-48C**. The Board approved of the Ordinance, as written, by voice vote.

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(Tape #554- Side 5)

The Board approved the payment of the Board Attorney's bill and Board Engineer's bill.

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The meeting was adjourned at 9:50 P.M.

LYNNE J. SCHNELL
CHAIRMAN