

BRANT BEACH, NEW JERSEY
JANUARY 11, 2012

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.

Mrs. C.K. 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, 2012 as required by the Open Public Meeting Act.”

Members of the Board present: **Commissioner R. H. Bayard, J. A. Leonetti, R. R. Monaco as Mayor’s Designee, R. Pingaro, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **Mrs. V. E. Applegate, J. C. Konnor and Mayor J. H. Mancini.**

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

Alternate member of the Board absent: **P. M. Moran.**

Also present were the following: **Mrs. C.K. Sicheri, Esq., Board Attorney, Mr. F. J. Little, Jr., P.E., P.P., Board Engineer, Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. M. P. Cleary, Senior Clerk.**

(Tape #507 - Side 1)

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Mrs. Schnell announced that the reorganization of the Board would take place.

Mrs. Sicheri asked for a nomination for **Chairman. Southwick moved, seconded by Bayard to nominate Lynne J. Schnell.** The following roll call vote was recorded: Bayard, Leonetti, Monaco, Pingaro, Southwick, VanBuren, Ternyila and Jones all voted **YES** by voice vote. 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:

Bayard, Leonetti, Monaco, Pingaro, Schnell, Southwick, VanBuren, Ternyila and Jones all voted **YES** by voice vote.

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

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

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: Bayard, Leonetti, Monaco, Pingaro, Schnell, Southwick, VanBuren, Ternyila and Jones all voted **YES** by voice vote.

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

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

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Mrs. Sichei gave a brief overview of the applications to be considered:

(1) #LUB-1-12: DINEEN (Block 1.73, Lot 4) 30 West Susan Avenue, Holgate: Mrs. Sichei stated that the applicants proposed to retain an existing five foot high solid stone wall which required bulk variances for fence height and opacity.

(2) #LUB-2-12: FISCHKELTA (Block 23.01, Lot 6) 28 Auburn Road, High Bar Harbor: Mrs. Sichei stated that the applicant proposed to construct an addition, screened porch, deck and gazebo which required bulk variances for combined side yard setback and distance between structures.

(3) #LUB-3-12: ELFANT (Block 4.39, Lots 4 and 4.01) 112 West 20th Street, North Beach Haven: Mrs. Sichei noted that the applicants proposed to demolish the existing structure and construct a new single family home on a corner lot which required bulk variance for setback from the 20th Street.

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Mr. Leon Tyszka, Surveyor with the firm of Nelke/Tyszka Land Surveyors, Inc., in Ship Bottom, was sworn and described the existing site to the Board. Mr. Tyszka described the proposed plans to the Board. Mr. Tyszka noted that the combined side yard setback must be thirty percent of the lot width or eighteen feet and that 15.7 feet was proposed. He stated that fourteen feet was proposed where fifteen feet was required for the distance between structures.

Mr. James A. Fischkelta, Jr. Applicant was sworn and described the proposed plans to the Board. He noted that they intended to update the existing cape and bring it up to code.

Mr. Fischkelta discussed the proposed garage with the Board. Mr. Fischkelta stated that the area would be for storage. Mr. Snyder stated that the plans would be amended to show the area as a storage area.

The Board stated the importance of fifteen feet between structures as a safety issue. Mr. Snyder stated that the wall adjacent to the neighboring property could be fireproofed. The applicant submitted drawings, marked **#A-5**.

The Public Session was closed.

Mr. Snyder noted that the character of the neighborhood would be maintained with the proposal while the home would be upgraded aesthetically and safety wise.

The Board felt that it was nice to see a renovation of this type and that fire rating the wall both from the inside and outside would be a good solution.

(Tape #508 – Side 3)

The board took a five minute recess.

The Board reopened the hearing.

Mr. James Kennard, Licensed Building Contractor was sworn and testified that the building would have a roof overhang.

The Public Session was closed.

Leonetti moved, seconded by Jones to approve the application with the condition that revised plans be submitted showing that the first and second floor of the new addition on the west side of the building be fire proofed both inside and outside. The following roll call vote was recorded: Bayard, Leonetti, Monaco, Pingaro, Schnell, Southwick, VanBuren, Ternyila and Jones all voted **YES**.

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

ADAM AND STACY ELFANT

Owners & Applicants

Block 4.39, Lots 4 and 4.01

Mr. Robert J. Kiss, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Map prepared by Horn, Tyson and Yoder, Inc., dated September 20, 2001 and bearing the latest revision date of November 8, 2011, #A-2, and, four page architectural drawing prepared by Robert Stack, Architect dated November 22, 2011, #A-3. Mr. Kiss submitted two pages of photographs, marked #A-4. Mr. Kiss stated that the applicants proposed to demolish the old structure and construct a new single family home that would eliminate a number of nonconformities. Mr. Kiss stated that the new structure would be an aesthetic improvement and would be positioned to minimize the impact on the neighbors.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the current conditions on the property to the Board. Mr. Brzozowski stated that the only variance requested was the eleven foot setback from 20th Street which would be an improvement from what currently existed. Mr. Brzozowski reviewed the submitted photographs with the Board and noted that the proposal did not have a negative impact on the surrounding properties.

Mr. Robert Stack, Architect of Ship Bottom was sworn and described the proposed architectural plans. Mr. Stack stated that the footprint of the proposed building was slightly smaller than the existing building. He noted that all of the living area would now be above the base flood elevation.

Mr. Sam Cipoletti of 1905 Bay Terrace was sworn and testified that he was in favor of the plans as submitted to the Board.

The Public Session was closed.

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

The Board approved of the application as nonconformities were being eliminated or reduced and approved of the proposed location of the structure on the lot.

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

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Under **New Business**, the Board discussed proposed Ordinances **#11-49C and 11-51C**. The Board approved of the Ordinances, as written, by voice vote.

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

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The meeting was adjourned at 9:15 P.M.

LYNNE J. SCHNELL
CHAIRMAN