

**BRANT BEACH, NEW JERSEY  
JANUARY 13, 2016**

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, 2015 as required by the Open Public Meeting Act.”

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

Members of the Board absent: **Mayor J. H. Mancini, J.C. Konnor and D.S. Southwick.**

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

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

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

**(Tape #613 - Side 1)**

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Mrs. Schnell announced that the reorganization of the Board would take place and noted that two members of the Board, Commissioner Bayard and Mr. Pingaro had been reappointed and sworn in.

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

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

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

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

Chairman Schnell asked for a motion for **Board Engineer**. **Pingaro moved, seconded by Applegate 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, Bayard, Leonetti, Hummel, Pingaro, Schnell, VanBuren and Jones** all voted **YES**.

Chairman Schnell asked for a motion for **official newspapers**. **Jones 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, Bayard, Leonetti, Hummel, Pingaro, Schnell, VanBuren and Jones** all voted **YES**.

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

**1. #LUB-3-16: HENRICK (Block 12.20, Lot 16) 8901 Long Beach Boulevard, Peahala Park:** Mrs. Sicheri stated that the applicant proposed to extend the existing deck which required bulk variances for lot coverage and rear yard setback.

**2. #LUB-2-16: SCHRAFT (Block 23.03, Lot 10) 34 Adrian Road, High Bar Harbor:** Mrs. Sicheri stated that applicants proposed to construct a deck and stairway on the easterly side of the home which required bulk variances for lot coverage and combined side yard setbacks.

**3. #LUB-1-16: MANCINI CUSTOM HOMES, INC. (Block 6.23, Lot 2) 105 East 30<sup>th</sup> Street, Beach Haven Gardens:** Mrs. Sicheri stated that applicant proposed to demolish the existing single family home and subdivide the property into two residential, single family building lots. Mrs. Sicheri noted that bulk variances were not required for the subdivision per the Township's subdivision formula and that the Engineer's review letter needed to be addressed by the applicant.

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Minutes of the meeting held December 9, 2015 were presented for approval. **Hummel moved, seconded by Applegate for adoption. Applegate, Leonetti, Hummel, Schnell and Jones all voted YES.**

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

**1. #LUB-46-15: EMERY – Resolution of Approval moved by Jones, seconded by Applegate.** The following roll call vote was recorded: **Applegate, Leonetti, Schnell and Jones** all voted **YES**.

2. **#LUB-48-15: CAC CIA/BAUMANN** – Resolution of Approval moved by **Jones**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Leonetti, Schnell and Jones** all voted **YES**.
3. **#LUB-49-15: DEMATO** – Resolution of Approval moved by **Hummel**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Hummel, Schnell and Jones** all voted **YES**.
4. **#LUB-50-15: WOLFCAMP** – Resolution of Approval moved by **Jones**, seconded by **Hummel**. The following roll call vote was recorded: **Applegate, Leonetti, Hummel, Schnell and Jones** all voted **YES**.
5. **#LUB-51-15: STACY** – Resolution of Approval moved by **Hummel**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Leonetti, Hummel, Schnell and Jones** all voted **YES**.

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

**Mr. Hummel and Commissioner Bayard stepped down from the Board for the following application:**

(1) **#LUB-1-16** **BEACH HAVEN GARDENS**

**ESTATE OF VICTORIA JAKUBIAK**  
 Owner  
**MANCINI CUSTOM HOMES, INC.**  
 Applicant  
 Block 6.23, Lot 2

**Mr. James Raban, Esquire, represented the applicant and evidence was marked as follows:** Application and Attachments, **#A-1**, Minor Subdivision Map prepared by Horn, Tyson & Yoder dated November 30, 2015, **#A-2** and, review letter to the Board by Frank J. Little, Jr., P.E., dated January 6, 2016, **#B-1**. Mr. Raban stated that the applicant was seeking a minor subdivision.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson & Yoder, Inc.** was sworn and described the existing property and the proposed subdivision to the Board. Mr. Brzozowski stated the existing structures would be demolished and that each lot would contain 3,600 square feet. He noted that the proposed lots met the subdivision formula, therefore variances were not required for lot frontage or lot area and that the lots were conforming. Mr. Brzozowski addressed Mr. Little's review letter.

**Mr. Robert Sittmann of 113 East 30<sup>th</sup> Street** was sworn and testified that he was not in favor of the application. The Board noted that the applicant had not asked for any variances and that any home built on the lots would have to be in conformance with the existing zoning ordinance.

**The Public Session was closed.**



(3) #LUB-3-16 PEAHALA PARK

**FAITH E. HENRICK**  
Owner and Applicant  
Block 12.20, Lot 16

**Ms. Faith Henrick represented herself and evidence was marked as follows:** Application and Attachments, #A-1, Variance Plan prepared by Hyland Design Group, Inc. dated December 22, 2015, #A-2, Three page Foundation Modification Plan prepared by Baumgardner House Lifting dated February 12, 2015 with the latest revision dated August 12, 2015, #A-3, and, Plot Plan prepared by Digeronimo PC dated May 23, 2014, A-4.

**Ms. Debra LoFranco, Consultant with Baumgardner House Lifting** was sworn and testified that she worked with the company as a consultant for RREM program applicants. Ms. Henrick stated that the application was for a deck and lift that had already been built. Ms. Henrick stated that the deck had to be enlarged to accommodate a lift to the second floor. She noted that the house had been raised above the base flood elevation and with the extra height she would not be able to climb the stairs to the second floor. Mrs. Henrick stated that the structure was a duplex. Mrs. Sicheri noted that if that was so, a special reasons variance would be required. It was noted that it was stated on the application that the structure was a single family home.

**The Board took a five-minute recess.**

The records were checked and it was determined that the structure was a duplex.

**Mr. Hummel stepped down from the Board and Commissioner Bayard left the Board for the evening.**

Mrs. Sicheri checked the notice and determined that the Board had jurisdiction to hear the application.

**(Tape #613 – Side 2)**

Ms. LoFranco stated that the plans submitted to the building office by the original contractor were incorrect and that changes needed to be made to the plan. She stated that the change of plans had been submitted to the building office. Ms. LoFranco stated that the ADA requirements for the staircase increased the slope of the stairs and if the stairs had been built as on the original plan that they would have encroached into the setback.

**Melody Henrick, Daughter-in-Law** was sworn and explained the process that Ms. Henrick had gone through to get to this point. Ms. Henrick stated that there was not an interior stairway to access the second floor. She stated that when the C.O. was applied for it was determined that a variance was required.

The building file was reviewed and it was determined that the revised plan had been submitted to the building office.

**The Public Session was closed.**

The Board noted that the stairs and lift were necessary to access the second floor.

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

**Mr. Hummel rejoined the Board for the remainder of the meeting.**

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The Board reviewed a letter received from Deidre Martin, Esquire, Re: **LUB-45-15, DeCicco**. Ms. Martin requested that the application be reopened for the Board to reconsider their decision. **Leonetti moved, seconded by Hummel to Deny the request to reopen the case.** The following roll call vote was recorded: **Leonetti, Hummel, Schnell and VanBuren** all voted **YES**.

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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 8:05 P.M.

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**LYNNE J. SCHNELL  
CHAIRMAN**