

**BRANT BEACH, NEW JERSEY
FEBRUARY 11, 2015**

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: **Commissioner R.H. Bayard, J. A. Leonetti, 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, Mayor J. H. Mancini, and R. R. Monaco as Mayor's Designee.**

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

Alternate member of the Board absent: **P. M. Moran, R. L. Jones, R. Andreotta and E. J. Hummel.**

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 #586 - Side 1)

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

1. #LUB-9-15: LAUREL BEACH DEVELOPERS (Block 14.21, Lot 7) 7505 Long Beach Boulevard, Beach Haven Crest: Mrs. Sicheri stated that applicants proposed to demolish the existing structures and subdivide the property into two single family residential lots. Mrs. Sicheri stated that design waivers as well as bulk variances for lot frontage and area were required. Mrs. Sicheri noted that a variance would also be required for the proposed placement of the air conditioner.

2. #LUB-6-15: CLEARY (Block 14.25, Lots 7 & 8) 28 Mea Lane, Beach Haven Crest: Mrs. Sicheri stated that applicants were seeking minor subdivision approval so as to create two single family residential lots which complied with the subdivision formula. Mrs. Sicheri stated that a bulk variance was required as to proposed lot depth and that a waiver of the requirement to install curbs and sidewalk was requested.

3. **#LUB-8-15: YENKOSKY (Block 14.03, Lot 10) 24 East Surf Avenue, Beach Haven Crest:** Mrs. Sichei stated that applicants proposed to construct an uncovered front porch on the existing single family home which required a bulk variance for front yard setback.

4. **#LUB-7-15: KAPNICK (Block 14.06, Lot 5) 109 East Surf Avenue, Beach Haven Crest:** Mrs. Sichei noted that the Board had received a letter from Mr. Raban requesting that the application be withdrawn.

5. **#LUB-5-15: LEISTNER/HALPERN (Block 23.05, Lot 29) 9 Auburn Road, High Bar Harbor:** Mrs. Sichei stated that applicant proposed to raise the existing single family home and construct a front entrance and rear deck which required bulk variances for rear and front yard setbacks as well as lot coverage.

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Minutes of the meeting held December 10, 2014 were presented for approval. **Leonetti** moved, seconded by **Pingaro** for adoption. **Leonetti, Pingaro and Schnell all voted YES.**

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

1. **#LUB-1-15: DKR HOLDINGS, LLC** – Resolution of Approval moved by **Leonetti**, seconded by **Southwick**. The following roll call vote was recorded: **Bayard, Leonetti, Schnell, Southwick and VanBuren** all voted **YES**.
2. **#LUB-2-15: KOEBEL** - Resolution of Denial moved by **Southwick**, seconded by **VanBuren**. The following roll call vote was recorded: **Schnell, Southwick and VanBuren** all voted **YES**.
3. **#LUB-4-15-P: DAVIES** - Resolution of Approval moved by **Southwick**, seconded by **VanBuren**. The following roll call vote was recorded: **Bayard, Leonetti, Schnell, Southwick and VanBuren** all voted **YES**.

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

(1) **#LUB-6-15** BEACH HAVEN CREST

AUDREY CLEARY
Owner and Applicant
Block 14.25, Lots 7 & 8

Mrs. Cleary, representing herself was sworn and evidence was marked as follows: Application and Attachments, **#A-1**, Minor Subdivision Map prepared by Nelke/Tyszka Land Surveyors, LLC dated June 16, 2014 with the latest revision date December 9, 2014, **#A-2**, and review letter to the Board from Frank J. Little, Jr., P.E. dated February 4, 2015, **#B-1**. Ms. Cleary

stated that the lots had been two separate lots until sometime in the 1980's.

Mr. Leon Tyszka, Land Surveyor was sworn and stated that frontage of the existing lot was ninety feet and that the proposed lots would have 45 feet of frontage. Mr. Tyszka noted that every lot within the two hundred foot area had 45 feet of frontage and that the lots would meet the subdivision formula. Mr. Tyszka noted that there were no structures on the property. Mr. Little stated that the lot depth was pre-existing throughout the neighborhood and noted that there was not a variance requested for parking. The Board felt that curbs should be installed but sidewalks would not be required.

Mr. Ken Moore of 7 Mea Lane was sworn and noted that he did not have an issue with two lots and asked about the curb. The Board noted that the curbing would be required.

The Public Session was closed.

The Board noted that the lots conformed to those within the neighborhood.

Southwick moved, seconded by Pingaro to approve the application with the replacement of the curbs and a waiver of the sidewalks requirement. The following roll call vote was recorded: **Bayard, Leonetti, Pingaro, Schnell, Southwick and VanBuren all voted YES.**

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(2) #LUB-9-15 BEACH HAVEN CREST

LAUREL BEACH DEVELOPERS, LLC

Applicant

FREDA C. POLONIO

Owner

Block 14.21, Lot 7

Ms. Deidre Martin, Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Minor Subdivision Map prepared by Horn, Tyson & Yoder, Inc. dated October 27, 2014, **#A-2**, Two page architectural plans prepared by Ian Laurance Nilsen dated December 22, 2014, **#A-3**, Deed Restriction recorded in the Ocean County Clerk's Office November 14, 2011, and, review letter to Board from Frank J. Little, Jr., P.E., dated February 4, 2015, **#B-1**. Ms. Martin stated that applicants were the contract purchasers and that they proposed to demolish the existing structures and create a two lot 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 that the lots would front on Lavenia Avenue. He noted that the property was located in the commercial zone so the subdivision formula does not apply. Mr. Brzozowski noted that a nonconforming triplex use would be eliminated and that the proposed lots would conform substantially to the other lots in the neighborhood. Mr. Brzozowski stated that the air conditioner platform would comply. Mr. Brzozowski addressed Mr. Little's review letter and stated that the sidewalks and curbs would be replaced as per Mr. Little.

Mr. John Connolly of 8 East Lavenia Avenue was sworn and testified that the area had problems with drainage and stated his concerns with where the sidewalk and curbs ended. Frank Little, Jr. addressed Mr. Connolly's question regarding the proposed infiltration system and noted that the sidewalk and curb would be filled in to Mr. Connolly's property.

The Public Session was closed.

Ms. Martin requested that the application be approved as submitted.

(Tape #586 – Side 2)

The Board noted that the proposal would be an improvement to the neighborhood.

Leonetti moved, seconded by Southwick to approve the application with the addition of curbs and sidewalks. The following roll call vote was recorded: **Bayard, Leonetti, Pingaro, Schnell, Southwick and VanBuren** all voted **YES**.

Frank J. Little Jr., P.E. stepped down from the Board for the remainder of the evening.

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(3) #LUB-5-15 HIGH BAR HARBOR

JAY LEISTNER & MARCIA HALPERN

Owners and Applicants

Block 23.05, Lot 29

Mr. Robert J. Kiss, Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Variance Map prepared by Nicholas Otten, NJ Professional Engineer and Clay E. Standish, NJ Professional Land Surveyor dated December 22, 2014, **#A-2**, and, two page architectural drawings prepared by Phase 2, Architecture & Interiors dated November 10, 2014, **#A-3**. Mr. Kiss stated that the applicants proposed to raise the existing structure in its present location and construct a new entranceway and rear deck which would require front and rear yard setback variances.

Mr. Jay Leistner Owner of the property and Licensed Architect in the State of New Jersey was sworn and submitted two photographs of the dwelling, marked **#A-4**. He noted that they had purchased the home in 2010 and remodeled the home in 2011. Mr. Leistner stated that the home had sustained storm damage and that it was being raised to comply with the flood zone requirement. Mr. Leistner stated that the design was in keeping with the High Bar Harbor area and since the home was now higher it required longer stairways. He noted that the proposed rear deck was just large enough to accommodate a table and chairs and to walk around the casement windows when they were open. Mr. Leistner stated that a lot coverage variance was also required.

The Public Session was closed.

The Board noted that the overage on lot coverage was only 1.5% and that the proposal was very attractive.

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

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(4) #LUB-8-15 BEACH HAVEN CREST

JOHN & PATRICIA YENKOSKY

Owners and Applicants

Block 14.03, Lot 10

Mr. & Mrs. Yenkosky representing themselves were sworn and evidence was marked as follows: Application and Attachments, #A-1, Map for application of Bulk Variance prepared by Davis & Davis Engineers, LLC dated December 20, 2014, #A-2, two pages of photographs of property, #A-3, and, one page owners rendering of proposed porch, #A-4. Mrs. Yenkosky stated that they proposed to remove the existing front stoop and planter and construct an uncovered front porch five feet wide the length of the house. She stated that the existing planter extended further into the setback than the proposed porch and parking would therefore be improved. Mrs. Yenkosky noted that the proposed porch would improve the aesthetic appearance of the property and would not interfere with the neighbor’s light or air. She stated that the porch would remain open.

The Public Session was closed.

The Board noted that there would be more parking area with the planter removed.

Pingaro moved, seconded by Southwick to approve the application with the condition that the porch never be roofed over or enclosed. The following roll call vote was recorded: Bayard, Leonetti, Pingaro, Schnell, Southwick and VanBuren all voted YES.

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The Board discussed proposed Ordinance #15-06C.

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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 8:13 P.M.

**LYNNE J. SCHNELL
CHAIRMAN**