

**BRANT BEACH, NEW JERSEY
APRIL 8, 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.

Mr. E. J. Hummel was sworn in as Mayor's Designee.

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: **V. E. Applegate, J.C. Konnor, J. A. Leonetti, E. J. Hummel as Mayor's Designee, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **Commissioner R.H. Bayard, Mayor J. H. Mancini and R. Pingaro.**

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 and Mrs. L. C. Krueger, Secretary for the Board/Commission.**

(Tape #589- Side 1)

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

1. #LUB-14-15: CRAMER (Block 15.106, Lot 13) 16 East 43rd Street, Brant Beach: Mrs. Sicheri stated that applicants proposed to demolish the existing duplex structure and construct a new single family home which required bulk variances for setback from the street and lot coverage.

2. #LUB-15-15: MARA (Block 4.20, Lots 8.02) 124 East 16th Street, North Beach Haven: Mrs. Sicheri stated that applicants proposed to renovate the existing home which required bulk variances for rear yard setback and lot coverage.

3. #LUB-16-15: CONNELLY (Block 4.19, Lot 4) 9 East 15th Street, North Beach Haven: Mrs. Sicheri stated that applicant proposed to raise the existing single family home and construct a vertical lift at the front of the home which required bulk variances for front and side yard setbacks.

4. #LUB-17-15: MAURY (Block 18.100, Lot 4) 1100D Long Beach Boulevard, North Beach: Mrs. Sicheri stated that applicants proposed to construct an in-ground pool which required a bulk variance from the requirements of the accessory structure setback.

5. #LUB-19-15: HARRIS (Block 11.23, Lot 31) 34 West Alabama Avenue, Beach Haven Park: Mrs. Sicheri stated that applicants proposed to construct a front entrance and first floor deck on the single family home which had recently been raised as a result of the storm. Mrs. Sicheri noted that a bulk variance for front yard setback was required.

6. #LUB-20-15: COSSMAN (Block 15.129, Lot 1.03) 3602B Long Beach Boulevard, Brant Beach: Mrs. Sicheri stated that applicant proposed to relocate an existing structure from an adjacent lot to the subject vacant lot which required a bulk variance for front yard setback.

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Minutes of the meeting held March 11, 2015 were presented for approval. **Jones** moved, seconded by **VanBuren** for adoption. **Konnor, Leonetti, Hummel, Schnell, VanBuren and Jones** all voted **YES**.

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

- 1. #LUB-3-15: SCHUSTER** – Resolution of Denial moved by **Hummel**, seconded by **VanBuren**. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, Schnell, VanBuren and Jones** all voted **YES**.
- 2. #LUB-10-15: MAROLDA** - Resolution of Approval moved by **VanBuren**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, Leonetti, Schnell, VanBuren and Jones** all voted **YES**.
- 3. #LUB-11-15: MALMSTROM** - Resolution of Approval moved by **Jones**, seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, VanBuren, and Jones** all voted **YES**.
- 4. #LUB-12-15: MCLEER/SCHULER**- Resolution of Approval moved by **Jones**, seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, Schnell, VanBuren and Jones** all voted **YES**.
- 5. #LUB-13-15: SHACKLETON** - Resolution of Approval moved by **VanBuren**, seconded by **Hummel**. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, Schnell, VanBuren and Jones** all voted **YES**.
- 6. #LUB-9-15A: LAUREL BEACH DEVELOPERS, LLC** – Amended Resolution moved by **Leonetti**, seconded by **Southwick**. The following roll call vote was recorded: **Leonetti, Schnell, Southwick and VanBuren** all voted **YES**.

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

(1) #LUB-14-15 BRANT BEACH

ROBERT A. & BEVERLY A. CRAMER

Owners and Applicants

Block 15.106, Lot 13

Mr. Reginald J. Raban, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Plan prepared by East Coast Engineering dated September 10, 2014, #A-2, and, three page Architectural Plan prepared by Adamson, Riva and Lepley Architects, AIA, #A-3. Mr. Raban stated that the applicants proposed to demolish the existing duplex structure that was damaged in the storm and proposed to construct a single family home with an elevator. Mr. Raban stated that the nonconforming setbacks would be improved. Mr. Raban stated that the benefit derived from the elimination of the nonconforming duplex structure and replacing it with an aesthetically pleasing single family home, outweighed the detriment of granting the two small variances.

Mr. Robert Cramer and Mrs. Beverly Cramer, owners of the property were sworn and testified that they had owned the home since 1998. Mr. Cramer mentioned that the existing shed would be removed from the property.

The Public Session was closed.

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

The Board approved of the removal of the existing duplex and noted that the requested variances on a lot of this size were minimal.

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

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(2) #LUB-15-15 NORTH BEACH HAVEN

THOMAS & JO-ANN MARA

Owners and Applicants

Block 4.20, Lot 8.02

Mr. Reginald J. Raban, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Plan prepared by Nelke/Tyszka Land Surveyors dated September 5, 2014, #A-2, and, two page Architectural Plan prepared by Rob Roth Architect, Inc., dated September 2014, #A-3.

Mr. Robert B. Roth, Jr., Architect and Planner was sworn and testified that the goal was to add a small addition to gain more space in the bathrooms. Mr. Roth stated that the three foot by thirty foot additions would allow for more usable space in each of the two master baths and in the kitchen. Mr. Roth stated that the nonconforming rear yard setback would be extended by three feet and that the increase in lot coverage was minimal.

Ms. Jo-Ann Mara, owner and applicant was sworn and testified that the bathrooms were very tight and that the proposed extension would alleviate the problem.

The Public Session was closed.

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

The Board noted that the request was minimal and could see the need for the addition as the bathrooms were very small.

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

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(3) #LUB-16-15 NORTH BEACH HAVEN

BETSY CONNELLY
Owner and Applicant
Block 4.19, Lot 4

Mr. Richard P. Visotcky Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Variance Plan prepared by Nelke/Tyszka Land Surveyor, LLC dated March 2, 2015, **#A-2**, and, three page Architectural Plan prepared by Jay Madden, Architect dated March 2, 2015, **#A-3**. Mr. Visotcky stated that because of the storm the house was being raised and an exterior lift was proposed to the first floor porch. He noted that the lift was necessary for the applicant due to medical reasons.

Mr. Jay Madden, Architect of Harvey Cedars, was sworn and testified that the lift was twenty-two square feet and would be hidden by lattice. Mr. Madden submitted a photograph of a sample lift, marked **#A-4**. Mr. Madden noted that the lift was located in an area that was convenient to the applicant's parking area.

The Public Session was closed.

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

The Board felt that the lift was unobtrusive and that the request was minimal for the necessary lift.

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

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(Tape #589 – Side 2)

(4) #LUB-20-15 BRANT BEACH

GINA PIO COSSMAN
Owner and Applicant
Block 15.129, Lot 1.03

Mr. Robert Kiss, Esquire, represented the applicant and addressed the Board. He stated that a correction needed to be made on the engineering plan that was submitted to the Board in reference to the above application. He requested that the Board hold the application over to the May 13, 2015 meeting to allow the Engineer to submit a revised Variance Map. Southwick moved, seconded by Konnor to hold the application over to the May 13, 2015 meeting without a fee. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, Southwick, VanBuren and Jones all voted YES. Mrs. Sicheri announced that hearing for the application would be held on May 13, 2015 and would not require any further notice.

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Mrs. Schnell stepped down from the Board for the following application and Mr. Konnor stepped in as Chair.

(5) #LUB-17-15 NORTH BEACH

WILLIAM & ROSE MAURY
Owners and Applicants
Block 18.100, Lot 4

Ms. Deidre M. Martin, Esquire, represented the applicants and evidence was marked as follows: Application and Attachments, #A-1, Variance Plan prepared by Nelke/Tyszka Land Surveyors, LLC dated February 27, 2015, #A-2, packet of nine photographs, (exhibits A-I) #A-3, and Packet of three deeds, deed restriction and a copy of the filed map (exhibits J-N), #A-4. Ms. Martin stated that the applicants proposed an in-ground pool three feet from the property line which required a bulk variance for accessory structure setback. Ms. Martin noted that the property was encumbered by two easements and that there was no other feasible location for the pool. Ms. Martin stated that the pool was not exceptionally large.

The Board asked why the proposed pool was not located closer to the deck, noting that it could be done with a letter from an Engineer or Architect, so as to locate it further from the property line.

Mr. Leon Tyszka, Land Surveyor was sworn and described the property to the Board. Mr. Tyszka stated that he had tried locating the pool in different areas of the lot. Mr. Tyszka stated that it would be possible to locate the pool eight feet from the rear lot line and six feet from the side yard.

The Board took a five minute recess.

(Tape #590 – Side 3)

Mr. Marc Spielberg, Esquire represented adjacent property owners, Mr. and Mrs. Jones of 1100C to the east, Mr. Wilson of 1102D, across the street and Mr. and Mrs. Polevoy of 1100E to the west. Mr. Spielberg stated that the proposed setbacks of three feet and three feet were too tight and that the problem existed because of the way the house had been constructed and angled on the lot. Mr. Spielberg stated that the pool did not fit where it was proposed.

Mr. Jeffrey Jones of 1100C was sworn and testified that he was not in favor of the pool as proposed.

The Public Session was closed.

Ms. Martin requested that the Board carry the application to the May 13, 2015 meeting. Mr. Konnor polled the Board and the majority of the Board felt that the application could be carried. The Board noted that an expert with the pool company should be in attendance of the meeting.

Jones moved, seconded by Applegate to hold the application over to the May 13, 2015 meeting without a fee. The following roll call vote was recorded: **Applegate, Konnor, Southwick, VanBuren and Jones all voted YES. Leonetti and Hummel voted NO. The motion carried.** Mrs. Sicheri announced that the continuation of the hearing for the application would be held on May 13, 2015 and would not require any further notice.

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Mrs. Schnell rejoined the Board for the remainder of the evening.

(6) #LUB-19-15 BEACH HAVEN PARK

WILLIAM & LORI N. HARRIS

Owners and Applicants

Block 11.23, Lot 31

Mr. Stuart D. Snyder, Esquire represented and evidence was marked as follows: Application and Attachments, **#A-1**, Map of Survey/Deck Variance Plan prepared by Gravatt Consulting Group dated February 6, 2015, **#A-2**, and, Architectural Drawing prepared by Kurt J. Ludwig, AIA, Architect, dated November 26, 2014 bearing the latest revision date of January 15, 2015, **#A-3**. Mr. Snyder stated that the property had sustained major damage from Super Storm Sandy and that as a result, the applicants had raised their home high enough to have storage below

the structure. Mr. Snyder stated that the project required a bulk variance for a front yard setback to the proposed staircase. Mr. Snyder submitted photographs to the Board marked, #A-4. Mr. Snyder stated that the proposed deck would not be covered.

Mr. Bruce Jacobs, P.E., P.P. with Gravatt Consulting Group was sworn and described the existing property. Mr. Jacobs stated that the applicants had started the construction but stopped when they realized that they would like a larger deck to access the front of the home. Mr. Jacobs stated that the proposed staircase extended straight out from the deck and that if an intermediate landing were installed to make the front yard setback more conforming it would increase the lot coverage. The Board asked if the applicant would be opposed to adding a landing noting that it would be safer and reduce the front yard setback.

Mrs. Lori Harris, Owner was sworn and testified that they proposed a modest deck on the front of the home for aesthetic reasons and that the proposed stairs were necessary for ingress and egress to the raised home. Mrs. Harris stated that the deck would never be covered.

(Tape #590 – Side 4)

Mr. Snyder stated that the stairs could be located to the side of a deck with a landing without interfering with the garage. Mr. Snyder stated that the application was amended to allow for a front yard setback of not less than eight feet, which would improve the proposed front yard setback.

The Public Session was closed.

Mr. Snyder requested that the application be approved as amended.

The Board discussed the possible configuration of staircases on homes that had been raised due to storm damage.

The Board felt that the amended plan for the relocation of the staircase with a landing would be safer as well as more attractive.

Hummel moved, seconded by Applegate to approve the application as amended with the condition that revised plans be submitted and that the deck never be enclosed. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Hummel, Schnell, Southwick and VanBuren** all voted **YES**. **Jones** voted **NO**. **The motion carried.**

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Under **New Business**, the Board discussed proposed Ordinance **#15-15C**. The Board was in support of the Ordinance as written and approved same, by voice vote.

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Under **Discussion** the Board noted that they would discuss the report from the End of Year Report Committee at next month's meeting.

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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 9:13 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN