

**BRANT BEACH, NEW JERSEY
APRIL 10, 2013**

A Regular Public Meeting of the Land Use Board of the Township of Long Beach was held in the Court 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.

New member of the Board, Joseph E. Hummel was sworn in as Alternate #4.

Mrs. C.K. Sichei, 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, 2013 as required by the Open Public Meeting Act."

Members of the Board present: **J. A. Leonetti, R. R. Monaco as Mayor's Designee, R. Pingaro, D. A. Southwick, R. S. VanBuren and J. C. Konnor presiding.**

Members of the Board absent: **Mrs. V. E. Applegate, Commissioner R. H. Bayard, Mayor J. H. Mancini, and Mrs. L. J. Schnell.**

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

Alternate member of the Board absent: **R. Andreotta.**

Also present were the following: **Mrs. C.K. Sichei, Esq., Board Attorney, Mr. D. F. Klee, P.E., P.P., with the firm of Owen, Little and Associates, Inc., Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. M. P. Cleary, Senior Clerk.**

(Tape #532 - Side 1)

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

(1) #LUB-9-13: NEWBERN (Block 8.04, Lots 1, 9, 10 and 11) 1 East Ohio Avenue, Dunes: Mrs. Sichei noted that the applicant proposed to subdivide the property into two single family lots which required minor subdivision approval and bulk variance approval for proposed lot 1.01. She stated that the existing structure on proposed lot 1.01 required a front yard setback variance from Long Beach Boulevard, a lot coverage variance and a setback variance for the existing accessory structure.

(2) **#LUB-8-13: BELYEA (Block 15.78, Lot 1) 1 East 52nd Street, Brant Beach:** Mrs. Sicheri stated that the property had several existing nonconformities and that the applicants proposed to raise the structure which required a height variance. Mrs. Sicheri noted that an existing shed was being removed to reduce lot coverage to 35%.

(3) **#LUB-10-13: FRANCESCANGELI (Block 12.17, Lot 1) 9009 Long Beach Boulevard, Peahala Park:** Mrs. Sicheri noted that the applicant proposed to expand the nonconforming duplex use which required special reasons variance as well as bulk variances for front yard setback, combined side yard setback and lot coverage.

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Minutes of the meeting held March 13, 2013 were presented for approval. **Southwick** moved, seconded by **Jones** for adoption. The following roll call vote was recorded: **Konnor, Southwick, VanBuren, Moran and Jones all voted YES.**

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Mr. Konnor listed the following **Resolutions of Memorialization:**

1. **#LUB-7-13: BENNETT** – Resolution of Approval moved by **Moran**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, Southwick, VanBuren, Moran and Jones all voted YES.**
2. **#LUB-12-11-PFA(2): HOWARD** – Resolution of Approval moved by **Moran**, seconded by **Jones**. The following roll call vote was recorded: **Konnor, VanBuren, Moran and Jones all voted YES.**

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Mr. Konnor noted that there were three applications to be considered, as follows:

(1) **#LUB-9-13 DUNES**

THOMAS H. AND JOANN L. NEWBERN

Owners & Applicants

Block 8.04, Lots 1, 9, 10 and 11

Mr. Reginald J. Raban, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Minor Subdivision Map prepared by Horn, Tyson and Yoder Inc., dated December 17, 2012, **#A-2**, and, review letter to the Board from Frank J. Little, Jr., P.E. dated April 2, 2013, **#B-1**. Mr. Raban stated that the minor subdivision would create two single family lots. Mr. Raban noted that one lot would

be vacant and one lot would contain a single family residence with a detached garage. He noted that the existing nonconforming setbacks were not being created by the subdivision and therefore did not require variances but that a lot coverage variance was required as it was being created by the proposed subdivision.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property to the Board. Mr. Brzozowski addressed Mr. Little's review letter. Mr. Brzozowski stated that given that proposed lot 1.01 was a large corner lot, the overage of lot coverage would not be noticeable.

The Board discussed the proposed entry to lot 1.01 and curb cut on Long Beach Boulevard. The Board asked if this would be allowed by the County. Mr. Brzozowski stated that there was room to turn around in the driveway so that vehicles would not have to back out onto Long Beach Boulevard. Mr. Klee noted that there was access from Ohio Avenue to the garage.

Mr. Klee asked what the blacktop would be replaced with and Mr. Brzozowski stated that it would be the standard washed stone.

The Board noted that if the curb cut proposed on Long Beach Boulevard was denied by other outside agencies that the applicant could be allowed driveway access from Ohio Avenue.

Mr. Thomas H. Newbern, owner of the property was sworn and testified that the building, which contained his real estate office, had been flooded by the storm and his sign had blown away. He noted that he was closing the real estate office. He stated that the proposed curb cut was well away from the house for plenty of visibility and that the existing garage faced the Boulevard.

Mr. Raban requested that the application be approved as submitted. He asked that access to the property be allowed from the Boulevard as it is where the garage is located and therefore the most logical location.

The Public Session was closed.

The Board did not have any objection to the proposed subdivision although some members were concerned with the Boulevard entrance while others felt it was the most logical access because of the garage location.

(Tape #532 – Side 2)

Jones moved, seconded by Leonetti to approve the application with the condition that if the curb cut proposed on Long Beach Boulevard was denied by the County that the applicants be permitted to install the driveway on Ohio Avenue, without further Board approval. The following roll call vote was recorded: Konnor, Leonetti, Monaco, Pingaro, Southwick, VanBuren, Moran, Jones and Hummel all voted **YES**.

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

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(2) #LUB-8-13 BRANT BEACH

LEON S., II AND BERIT BELYEA

Owners & Applicants

Block 15.78, Lot 1

Mr. Richard P. Visotcky, 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 January 23, 2013 and revised February 20, 2013, #A-2 and, two page architectural drawing by Craig W. Brearley, Architect dated February 14, 2013, #A-3. Mr. Visotcky stated that the applicant proposed to renovate and raise the existing structure which required a height variance. He noted that the lot coverage would be reduced and that nonconformities existed on the property.

Mr. Craig W. Brearley, Architect was sworn and described the existing structure and the proposed plans to the Board. Mr. Brearley stated that the home had sustained storm damage and that in addition to repairing the home the applicants proposed to raise the structure. He noted that home would conform with the ABFE and that the structure would be raised additionally to provide for parking under the structure. He noted that the roof peak would not change and that the requested height variance was eleven inches over the allowable height. Mr. Brearley noted that it was proposed to remove the sheds to reduce lot coverage with storage being provided under the home.

Mr. Visotcky submitted photographs to the Board marked, #A-4. Mr. Brearley described the photographs.

The Public Session was closed.

The Board felt that the request was reasonable and noted that only a small portion of the roof would be above the height limit.

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

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

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(3) #LUB-10-13 PEAHALA PARK

GINO FRANCESCANGELI

Owner & Applicant

Mr. Richard P. Visotcky, 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 March 13, 2013 and revised March 18, 2013, #A-2 and, two page architectural drawing by Craig W. Brearley, Architect dated March 15, 2013, #A-3. Mr. Visotcky stated that the duplex structure was shared by the family. Mr. Visotcky stated that the applicant proposed to raise the existing duplex structure, adding an elevator and decking and removing the nonconforming garage. Mr. Visotcky stated that the proposal required a special reasons variance and bulk variances for lot coverage, distance between structures, combined side yard setback and setback from the street. He noted that the majority of the nonconformities were pre-existing.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property and the location of the property. Mr. Visotcky submitted photographs, marked #A-4 and #A-5. Mr. Brzozowski described the photographs. Mr. Brzozowski stated that the duplex currently encroaches on the site triangle and by raising the house the impact of the building on the site triangle would be reduced. He noted that a piling would be located in the site triangle. Mr. Brzozowski stated that the improvements would be an aesthetic enhancement to the property and that the increase in the distance between structures would increase fire safety.

(Tape #533 – Side 3)

Mr. Craig W. Brearley, Architect was sworn and described the existing layout of the duplex and the proposed plans to the Board. Mr. Brearley stated that raising the home would get it out of the flood zone. Mr. Brearley stated that by moving the house back it would allow for decks off of the living space.

Mr. Gino Francescangeli, property owner was sworn and submitted photographs to the Board, marked #A-6. Mr. Francescangeli described the photographs to the Board and the history of the property.

Mr. Bill Malone of 6 East Sand Dune Lane was sworn and testified that he did not object to the application.

The Public Session was closed.

The Board approved of the decrease in lot coverage and that the house would be out of the flood zone. They noted that the width of the proposed deck was necessary to accommodate outdoor furniture. The Board felt that the decks should never be enclosed.

Southwick moved, seconded by Pingaro to approve the application with the stipulation that the deck area never be enclosed. The following roll call vote was recorded: Konnor, Leonetti, Pingaro, Southwick, VanBuren and Moran all voted **YES**. Jones voted **NO**.

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Under **Public Participation**, Mr. Bill Malone inquired as to house raising in the Township and Mr. Pingaro replied that the overall building height limitations, in connection with the different flood zones, had been increased by Ordinance.

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

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The Board agreed to hearing additional applications each month.

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The meeting was adjourned at 9:00 P.M.

JEFFREY C. KONNOR
VICE CHAIRMAN