

**BRANT BEACH, NEW JERSEY  
JULY 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.

**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, 2013 as required by the Open Public Meeting Act.”

Members of the Board present: **Mrs. V. E. Applegate, J. C. Konnor, J. A. Leonetti, R. R. Monaco as Mayor’s Designee, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

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

Alternate member of the Board present: **R. L. Jones, R. Andreotta and J. E. Hummel.**

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

Also present were the following: **Mrs. C.K. Sicheri, Esq., Board Attorney, Mr. Frank J. Little, Jr., P.E., P.P., with the firm of Owen, Little and Associates, Inc. and Mrs. L. C. Krueger, Secretary for the Board/Commission.**

**(Tape #538 - Side 1)**

\* \* \* \* \*

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

**(1) #LUB-23-13: ASTROM (Block 14.02, Lot 12) 14 West Winifred Avenue, Beach Haven Crest:** Mrs. Sicheri stated that the applicant was requesting minor subdivision approval to create a two lot subdivision noting that it was proposed to demolish the existing duplex and to construct two single family homes. Mrs. Sicheri stated that bulk variance and waiver relief were required.

**(2) #LUB-25-13: ULLRICH (Block 11.23, Lot 35) 26 West Alabama Avenue, Beach Haven Park:** Mrs. Sicheri stated that the applicant proposed to construct a front porch on

the existing single family home which required a bulk variance for front yard setback.

**(3) #LUB-24-13: JOHNSTON (Block 12.16, Lot 18) 6 West Sand Dune Lane, Peahala Park:** Mrs. Sicheri noted that the applicants proposed to demolish the existing single family dwelling and construct a new single family dwelling which required bulk variances for an eleven foot side yard for a driveway, combined side yard setback as well as distance between structures.

**(4) #LUB-26-13: NEECK (Block 6.14, Lot 2) 25 West 29<sup>th</sup> Street, Beach Haven Gardens:** Mrs. Sicheri noted that the applicants proposed to demolish the existing single family home and construct a new single family home which required bulk variances for lot area and width and front yard setback.

\* \* \* \* \*

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

1. **#LUB-15-13: INSERRA, JR., LARSEN AND DUPONT** – Resolution of Approval moved by **Konnor** seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, VanBuren and Jones all voted YES.**
2. **#LUB-16-13: FERENCE** – Resolution of Approval moved by **Applegate**, seconded by **Konnor**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, VanBuren and Jones all voted YES.**
3. **#LUB-17-13: HEUBACH** – Resolution of Approval moved by **Applegate**, seconded by **VanBuren**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, VanBuren and Jones all voted YES.**
4. **#LUB-18-13: DiBARI** – Resolution of Approval moved by **VanBuren** seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, VanBuren and Andreotta all voted YES.**
5. **#LUB-19-13: JOHNSON AND JORO INVESTMENTS, LLC** – Resolution of Approval moved by **Jones**, seconded by **Applegate**. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, VanBuren and Jones all voted YES.**
6. **#LUB-20-13: MASELLA** – Resolution of Approval moved by **Jones** seconded by **Leonetti**. The following roll call vote was recorded: **Applegate, Leonetti, Monaco, VanBuren and Jones all voted YES.**

\* \* \* \* \*

**Mrs. Schnell announced that the Boyle (LUB-21-13) and Meehan (LUB-22-13) applications would not be heard this evening and would be scheduled at a later date.**

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

(1) **#LUB-23-13 BEACH HAVEN CREST**

**VERONICA ASTROM**

Owner and Applicant

Block 14.02, Lot 12

**Mr. Reginald J. Raban, Esquire represented the applicant and evidence was marked as follows:** Application and Attachments, **#A-1**, Minor Subdivision Map prepared by Horn, Tyson and Yoder, Inc. dated April 2, 2013, **#A-2**, Floor Plans and Elevations by Ed Keiser of Outerland Homes, **#A-3**, and, review letter to the Board from Frank J. Little, Jr., P.E. dated July 1, 2013, **#B-1**. Mr. Raban stated that the existing duplex was destroyed in the storm and that the applicant proposed a two lot subdivision. Mr. Raban stated that the applicant proposed to construct a new single family home on the easterly lot and sell the other lot.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.,** was sworn and described the current condition of the existing property. He stated that that the applicant proposed to demolish the existing duplex and subdivide the property into two single family lots. He noted that the accessory garage would also be removed. Mr. Raban noted that a waiver had been requested from a plan for the westerly lot. He noted that the removal of the duplex would eliminate a nonconforming use and that other nonconformities would be removed as well.

Mr. Brzozowski addressed Mr. Little's review letter.

**Ms. Veronica Astrom, owner** was sworn and testified that home was substantially damaged in the storm. She stated that the only way she could rebuild the house was to subdivide the property and sell one lot.

**The Public Session was closed.**

Mr. Raban requested that the minor subdivision and waivers be approved. He noted that with the proposal the density would remain the same and a nonconforming use would be eliminated.

The Board noted that they would like to see architectural plans for the west lot. Mr. Raban requested that the application be held over to obtain architectural plans for the west lot and updated plans for the east lot.

**It was decided, by voice vote, to hold the application over to the September 11, 2013 meeting for more detailed information.**

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

**(Tape #538 – Side 2)**

\* \* \* \* \*

**(2) #LUB-24-13 PEAHALA PARK**

**KEITH & DANIELLE JOHNSTON**

Owners and Applicants  
Block 12.16, Lot 18

**Mr. Reginald J. Raban, Esquire, represented the applicants and evidence was marked as follows:** Application and Attachments, #A-1, Variance Plan prepared by Dante Guzzi Engineering Associates, dated June 4, 2013, #A-2, and, four page architectural plan by Michael Pagnotta, AIA, dated December 5, 2012 bearing the latest revision date of May 3, 2013, #A-3. Mr. Raban stated that the house next door had been demolished and now the proposed home could be shifted to the east to maintain fifteen feet from the westerly structure. Mr. Raban stated that combined side yard setback variance was still required as well as relief from the eleven foot driveway requirement.

**Mr. Mike Pagnotta, Licensed Architect and Professional Planner in the State of New Jersey** was sworn and described the proposed plans to the Board. Mr. Pagnotta submitted a rendering of the home on the lot, marked #A-4. Mr. Pagnotta stated that during the process of planning the renovation to raise the home it became apparent that a new structure in the basic footprint made more sense.

Mr. Raban stated that he was amending the application to allow the proposed home to be shifted to the east.

**Mr. Keith Johnston, owner** was sworn and testified that the proposed home was in essentially the same footprint as the existing structure to maintain the same size back yard.

**The Public Session was closed.**

Mr. Raban requested that the application be approved as amended noting that the proposed home was aesthetically pleasing and would have fifteen feet between all structures.

The Board noted that the existing nonconformities would be improved and that the proposed structure would be an attractive addition to the neighborhood.

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

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

\* \* \* \* \*

**(3) #LUB-25-13 BEACH HAVEN PARK**

**EDWARD J. ULLRICH**  
Owner and Applicant  
Block 11.23, Lot 35

**Mr. Reginald J. Raban, Esquire represented the applicant and evidence was marked as follows:** Application and Attachments, #A-1, Variance Map prepared by Nelke/Tyszka Land Surveyors, LLC, dated May 20, 2013, #A-2 and, three page architectural plan prepared by Lance Vogl, Architect dated May 24, 2013, #A-3. Mr. Raban stated that the storm damaged home was currently being raised in place. He noted that the owner proposed a front porch to make it more aesthetically pleasing, which required a front yard setback variance.

**Mr. Edward J. Ullrich, owner** was sworn and described the damage from the storm. He stated that he would like to have a functional front porch and noted that it would be similar to other homes in the neighborhood.

**Mr. Paul Lombardino, adjacent property owner,** was sworn and testified that he was in favor of the application noting that it would improve the look of the raised cape home.

**The Public Session was closed.**

Mr. Raban requested that the Board approve the application as submitted.

The Board felt that the application was straightforward and that the porch would enhance the façade of the home.

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

\* \* \* \* \*

**(4) #LUB-26-13 BEACH HAVEN GARDENS**

**BERNARD NEECK**  
Owner and Applicant  
Block 6.14, Lot 2

**Mr. Richard P. Visotcky, Esquire, represented the applicant and evidence was**

**marked as follows:** Application and Attachments, #A-1, Plot Plan to Accompany Variance Application prepared by East Coast Engineering Inc., dated May 21, 2013 with the latest revision date of June 13, 2013, #A-2, Survey Map prepared by East Coast Engineering, Inc., dated February 25, 2013 with the latest revision date of May 21, 2013, #A-3, and, two page architectural plan by Craig W. Brearley, AIA, dated June 11, 2013, #A-4. Mr. Visotcky stated that the home had been substantially damaged by the storm. He noted that the applicant proposed to demolish the existing single family home and construct a new single family home which would be three feet narrower than the existing house. Mr. Visotcky stated that some of the existing nonconformities would be bettered and that the rear yard and one side yard setback would be brought into conformity.

**Mr. Jason M. Marciano, Licensed Professional Engineer and Professional Planner in the State of New Jersey, with the firm of East Coast Engineering, Inc,** was sworn and described the existing property and the proposed plans to the Board. Mr. Visotcky submitted photographs of the subject and adjacent properties which Mr. Marciano described, marked #A-5 and #A-6. Mr. Marciano stated that the home would substantially conform with the homes in the neighborhood and would meet current flood requirements.

**(Tape #539 – Side 3)**

**Mr. Craig Brearley, Architect** was sworn and described the proposed structure to the Board. Mr. Brearley stated that the front porch would give the home a cottage style look.

**Ms. Kelly Neeck** was sworn and described the floor plans of the existing home to the Board and their reasons for constructing a new home.

**Mr. Robert Kiss, Esquire,** represented Mr. and Mrs. Murphy, adjacent property owners to the east. Mr. Kiss stated that the proposed home would be an improvement but that his clients had some concerns regarding the proposal. He stated that he felt that the front yard setback could easily be eliminated and noted that the stairs were close to the street. Mr. Kiss requested consideration regarding the front yard.

**The Public Session was closed.**

Mr. Brearley stated that the need for the front yard setback variance could be eliminated. Mr. Brearley stated that the stairs were designed to be aesthetically pleasing and that the landing made for easier accessibility.

Mr. Visotcky stated that nonconformities would be eliminated and requested that the application be approved as modified with the elimination of the front yard setback.

While some members of the Board felt that there had not been enough changes made to facilitate fitting the new structure on the lot others felt that an effort had been made to reduce lot coverage and eliminate some nonconformities. The Board members felt that the stairs should be modified to fit within the setback.

**Leonetti moved, seconded by Hummel to approve the application as amended, with the elimination of the front yard setback variance (including the staircase) and with the**

**condition that revised plans be submitted.** The following roll call vote was recorded: Leonetti, Monaco, Schnell, VanBuren, Andreotta and Hummel all voted **YES**. Applegate, Konnor and Jones all voted **NO**. **The application was approved.**

\* \* \* \* \*

Under **New Business**, the Board discussed amending the Checklist to increase the size of the scale on plans submitted to the Board.

\* \* \* \* \*

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

\* \* \* \* \*

The meeting was adjourned at 9:02 P.M.

---

**LYNNE J. SCHNELL**  
**CHAIRMAN**

---

**JEFFREY C. KONNOR**  
**VICE CHAIRMAN**