

BRANT BEACH, NEW JERSEY  
SEPTEMBER 11, 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, R. Pingaro, D. A. Southwick and Mayor J. H. Mancini.**

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

No Alternate members of the Board were absent.

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., Mrs. M. P. Cleary, Senior Clerk and Mrs. L. C. Krueger, Secretary for the Board/Commission.**

**(Tape #540 - Side 1)**

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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 noted that the application had been held over from the July 10, 2013 meeting.** 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-29-13: CZERNIK/MILANO (Block 4.02, Lot 1; Unit A) 1209 Long Beach Boulevard, North Beach Haven:** Mrs. Sichiery noted that the application had been held over from the prior month. She stated that the applicants proposed to demolish and reconstruct the front unit of the two units currently existing on the undersized lot which was partially located in Beach Haven. Mrs. Sichiery stated that a special reasons variance was required as well as multiple bulk variances.

(3) **#LUB-30-13: 206 E. SOUTH 32<sup>ND</sup> STREET, LLC (Block 6.29, Lot 5) 206 E. South 32nd Street, Beach Haven Gardens:** Mrs. Sichiery stated that the applicants proposed to demolish the existing duplex structure and construct a new single family home which required bulk variances for front and rear yard setback.

(4) **#LUB-31-13: DELVECCHIO (Block 12.22, Lot 19) 26 West Mermaid Lane, Peahala Park:** Mrs. Sichiery noted that the applicant proposed to demolish the existing single family home and construct a new single family home which required bulk variances for front yard setback, distance between structures and lot coverage.

(5) **#LUB-32-13: KAROLE (Block 13.12, Lot 8) 114 East New York Avenue, Brighton Beach:** Mrs. Sichiery stated that the applicants proposed to demolish the existing duplex structure and construct a new single family home which required bulk variances for side and rear yard setback as well as distance between structures.

**It was noted that the Grande Application (LUB-27-13) had been withdrawn by the applicant.**

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Minutes of the meeting held July 10, 2013 were presented for approval. **VanBuren** moved, seconded by **Jones** for adoption. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Monaco, Schnell, VanBuren, Jones, Andreotta and Hummel all voted YES.**

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

1. **#LUB-21-13: BOYLE** – Resolution of Approval moved by **VanBuren** seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Schnell, VanBuren and Andreotta all voted YES.**
2. **#LUB-22-13: MEENAN** – Resolution of Approval moved by **VanBuren**, seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Schnell, VanBuren and Andreotta all voted YES.**
3. **#LUB-28-13: LOMBARDINO** – Resolution of Approval moved by **VanBuren**, seconded by **Konnor**. The following roll call vote was recorded: **Konnor, Leonetti, Monaco, Schnell, VanBuren and Andreotta all voted YES.**

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

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

**VERONICA ASTROM**

Owner and Applicant

Block 14.02, Lot 12

**It was noted that the application had been carried from the July 10, 2013 meeting.**

**Mr. Reginald J. Raban, Esquire represented the applicant and evidence was marked as follows:** second review letter to the Board from Frank J. Little, Jr., P.E. dated September 4, 2013, **#B-2**, Letter to Board from Reginald J. Raban, Esquire dated September 3, 2013 including the revised floor plans and elevations, **#A-4**, letter to Carol Sicheri, Esq., Board Attorney from Katharine Shackleton, dated September 6, 2013, **#B-3**, and, revised floor plans prepared by Signature Building Systems of PA, LLC for proposed lot 12.01 dated August 7, 2013, **#A-5**. 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 proposal did not strictly meet the subdivision formula and required variances for lot area and width. Mr. Raban stated that the proposed new construction would meet all bulk variance requirements.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.,** was sworn and testified that five of the eighteen lots within 200 feet of the property had frontage and area equal to or less that the proposed lots. He described the lots in the neighborhood and noted that the proposal would eliminate the nonconforming duplex structure. Mr. Little asked if the height of both proposed structures would be approximately twenty-seven feet and Mr. Raban replied yes. Mr. Brzozowski addressed Mr. Little's review letter.

The Board addressed the revised plans.

**Ms. Veronica Astrom, owner** was sworn and described the proposed plans to the Board.

**Mr. Marc Spielberg represented Walter Regel, contract purchaser of proposed lot 12.02. Mr. Regel was sworn** and testified that he proposed to construct a home which would meet all bulk requirements. He noted that a height limit of twenty-seven feet would be acceptable as he planned to construct a raised ranch.

**The Public Session was closed.**

Mr. Raban requested that the minor subdivision with variances and waivers be approved as submitted.

The Board noted their concerns with the size of the proposed lots but noted that one large duplex could be built on the lot instead of the two smaller homes. Some members of the

Board felt that the size of the proposed homes were in keeping with the neighborhood but thought that the street side of the home could be more aesthetically pleasing. It was noted that a height limitation of twenty-seven feet would fit in with the neighborhood.

(Tape # 542 – Side 2)

**Leonetti moved, seconded by Hummel to approve the application with the following conditions: 1. That the applicant provide an attractive street front elevation, to be approved by the Township Engineer and 2. That the dwellings be constructed with one floor of living space, at a height not to exceed twenty-seven feet.** The following roll call vote was recorded: Leonetti, Monaco, Pingaro, Schnell, VanBuren, Andreotta and Hummel all voted **YES**. Applegate, Konnor and Jones voted **NO**. **The motion carried.**

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

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

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(2) **#LUB-30-13                      BEACH HAVEN GARDENS**

**206 E. SOUTH 32<sup>ND</sup> STREET, LLC**

Owner and Applicant

Block 6.29, Lot 5

**Mr. Reginald J. Raban, 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 May 29, 2013 with the latest revision date of July 24, 2013, **#A-2**, and, three page architectural plan prepared by Michael H. Strunk, Architect, dated July 8, 2013 **#A-3**. Mr. Raban stated that the applicant proposed to demolish the existing duplex and construct a new single family home.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.,** was sworn and described the location and configuration of the property. He stated that it was proposed to remove the existing duplex and construct a new single family dwelling. He noted that the east side yard setback would be improved and that the rear yard setback would remain as it existed.

**Ms. Donna Hartman, owner of the property,** was sworn and testified that repairing the Sandy damaged home was not worth the cost and that the new structure would be aesthetically pleasing.

**The Public Session was closed.**

Mr. Raban requested that the application be approved as submitted noting that a nonconforming duplex use would be eliminated.

The Board noted that a nonconforming use would be eliminated, that the proposal was straightforward and would be an attractive improvement to the neighborhood.

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

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(3) **#LUB-31-13** PEAHALA PARK

**ELIZABETH ANN DELVECCHIO**

Owner and Applicant  
Block 12.22, Lot 19

**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 June 11, 2013, #A-2, and, two page architectural plan prepared by Craig W. Brearley, Architect, dated July 22, 2013, #A-3. Mr. Visotcky stated that it was proposed to remove the storm damaged home and construct a new single family home. He noted that there were six preexisting nonconformities that would be reduced or eliminated with the new proposal.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.,** was sworn and described the location of the property and the surrounding properties. Mr. Visotcky submitted a photograph of the home before it was demolished, marked #A-4 and a photograph of the surrounding property, marked #A-5. Mr. Brzozowski described the variances required noting that four of the nonconformities would be eliminated and two would be reduced.

(Tape #543 – Side 3)

**Mr. Craig Brearley, Architect** was sworn and described the proposed plans to the Board.

**The Public Session was closed.**

Mr. Visotcky noted that the application was straight-forward and that the proposal would eliminate existing nonconformities.

The Board felt that the request was reasonable and would result in a clean, modern home meeting the FEMA requirements.

**Moran moved, seconded by Applegate to approve the application as submitted.** The following roll call vote was recorded: Applegate, Konnor, Leonetti, Monaco, Schnell,



**CHRISTINE CZERNIK & KAREN MILANO**

Owners and Applicants  
Block 4.02, Lot 1, Unit A

**Mr. Reginald J. Raban, Esquire represented the applicants and evidence was marked as follows:** Application and Attachments, **#A-1**, Gotham Modular Home Plans, dated June 21, 2013, **#A-2**, and, Plot Plan with Variance Map prepared by Gravatt Consulting Group, dated June 20, 2013, **#A-3**. Mr. Raban submitted a copy of the Master Deed, marked **#A-4**. Mr. Raban stated that there were two storm damaged units on the property and that the applicants proposed to reconstruct “Unit A” which fronted on the Boulevard. Mr. Raban stated that the owner of “Unit B” would be bringing an application in the future.

**Mr. Bruce Jacobs, Professional Engineer and Professional Planner in the State of New Jersey with the firm of Gravatt Consulting Group**, was sworn and qualified. Mr. Gravatt described the property and noted that a portion of the lot was located in the Borough of Beach Haven. He stated that Unit A was located entirely in Long Beach Township and that the applicants proposed to reconstruct the unit in basically the same footprint. Mr. Jacobs submitted photographs of the property, marked **#A-5** and aerial photographs, marked **#A-6**. Mr. Jacobs submitted a photograph of a home with a façade similar to that proposed, marked **#A-7**.

Mr. Jacobs described the proposed construction and noted that the structure could be constructed without any substantial detriment to the public good. Mr. Jacobs stated that the proposed home would conform to flood standards.

Mrs. Sicheri noted that if the Board approved the application it would also require an approval from the Borough of Beach Haven. Mr. Jacobs discussed the application with the Board.

**Ms. Christine Czernik and Karen Milano, owners of Unit A, were sworn** and testified that they had inherited the home from their father. Ms. Milano noted that her Uncle owned Unit B.

**Mr. Ernest Dole, owner of Unit B was sworn** and testified that he did not have any objection to the application. Mr. Dole stated that the shed would be removed.

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

**The Public Session was closed.**

The Board noted that the new structure would be an aesthetic improvement and that the proposed structure would conform to FEMA requirements.

**Applegate moved, seconded by VanBuren to approve the application with the conditions that the shed be removed and that a letter of no interest be obtained from the**

**Borough of Beach Haven.** The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, VanBuren, Jones and Andreotta all voted **YES**.

**(Tape #543 – Side 4)**

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Under **Old Business**, the Board discussed the Year End Report. **Leonetti moved, seconded by VanBuren to approve the Year End Report.** The following roll call vote was recorded: Applegate, Konnor, Leonetti, Schnell, VanBuren, Jones, Andreotta and Hummel all voted **YES**.

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The Board discussed and approved of the proposed changes to the Checklist.

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

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The meeting was adjourned at 9:30 P.M.

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

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