

**BRANT BEACH, NEW JERSEY
SEPTEMBER 12, 2012**

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, 2012 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. Pingaro, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

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

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

Also present were the following: **Mrs. C.K. Sicheri, Esq., Board Attorney, Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. M. P. Cleary, Senior Clerk.**

(Tape #523 - Side 1)

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

(1) #LUB-22-12: MITRI (Block 20.118, Lot 2) 10 East Arts Lane, Loveladies: Mrs. Sicheri noted that the applicants proposed to demolish the existing single family home and construct a new single family home on a lot with frontage on three streets. Mrs. Sicheri noted that bulk variances were required for setback from the street and lot coverage.

(2) #LUB-23-12: KELLY (Block 7.14, Lot 15) 101 West Pennsylvania Avenue, Beach Haven Terrace: Mrs. Sicheri noted that the applicant proposed to raise and construct an addition on the existing single family home. Mrs. Sicheri stated that the proposal required bulk variances for lot coverage, height, front yard setback and distance between structures.

application to the October 10, 2012 meeting. The motion carried by voice vote. Mrs. Sichei announced that the application would be heard October 10, 2012 and that no further notice would be given on the application.

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(2) **#LUB-21-12** **BEACH HAVEN PARK**

LBI PARTNERS, LLC
Owner and Applicant
Block 11.14, Lot 11

Mr. Stuart D. Snyder, Esquire represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, Survey Map prepared by East Coast Engineering, Inc., dated June 20, 2012, **#A-2**, Plot Plan prepared by East Coast Engineering, Inc., dated July 18, 2012, **#A-3**, three page architectural plan prepared by Michael Pagnotta, Architect, P.C., dated June 1, 2012, **#A-4** and three page revised architectural plan prepared by Michael Pagnotta, Architect, P.C., dated June 1, 2012, **#A-5**. Mr. Snyder stated that it was planned to demolish the existing two family dwelling and construct a new single family home. Mr. Snyder stated that the application was subject to CAFRA approval which was the reason for submitting revised architectural plans.

Mr. Jason Marciano, P.E, P.P with the firm of East Coast Engineering, was sworn and described the existing property. Mr. Marciano stated that the buildable area on the oceanfront property was limited due to the location of the building line. Mr. Marciano submitted 8 sheets of photographs, marked **#A-6**. Mr. Marciano described the photographs and the proposed setbacks which required variances. He stated that the right-of-way created open space.

The Board discussed the proposed parking plan.

Mr. Michael Pagnotta, Architect was sworn and described the proposed architectural plans to the Board noting that he felt that the proposed home was modest.

(Tape #523 – Side 2)

The Board discussed the proposed parking surface.

Mrs. Patricia Strauch, member of the LLC owning the property, was sworn and testified that the home needed to be upgraded and that they had started to loose rental income. She stated that the proposed single family home would work better for them than the existing duplex.

The Public Session was closed.

Mr. Snyder stated that a nonconforming use would be eliminated and that the development of the lot was limited by the location of the building line and CAFRA

regulations.

While the Board approved of the elimination of the duplex structure, some members felt that the distance between structures should be improved. It was discussed that the existing home could be remodeled in the existing footprint.

Moran moved, seconded by Leonetti to approve the application as submitted. The following roll call vote was recorded: Applegate, Leonetti, Monaco, VanBuren and Moran all voted **YES**. Konnor, Pingaro, Schnell and Southwick voted **NO**. The motion carried.

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(3) **#LUB-22-12** **LOVELADIES**

MICHAEL AND KAREN MITRI

Owners & Applicants

Block 20.118, Lot 2

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 March 28, 2012, revised July 10, 2012, **#A-2**, and, five page Architectural drawing prepared by Jay Madden, Architect, dated July 10, 2012, **#A-3**. Mr. Raban stated that the property was unusual in that it fronted on three streets with a setback of twenty-five feet from each street making it difficult to build a structure.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property. Mr. Brzozowski stated that it was proposed to demolish the existing structure and construct a new single family home basically the same size as the existing home. Mr. Brzozowski stated that the lot coverage would be reduced but would still be slightly over the permitted coverage and that the side yard setback would be conforming. He noted that the impact on Arts Lane would be reduced as it was proposed to reduce some of the decking.

Mr. Jay Madden, Architect was sworn and described the proposed plans to the Board.

(Tape #524 – Side 3)

Mr. Madden stated that the proposed plan allowed for thirty feet between structures, which eliminated the need for a variance.

The Public Session was closed.

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

The Board was in favor of the application, noting the uniqueness of the lot bordered by

three streets. The Board felt the design of the home was ideal for the unique location.

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

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The Board took a five-minute recess.

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

(4) **#LUB-23-12** **BEACH HAVEN TERRACE**

KATHLEEN K. KELLY

Owner and Applicant

Block 7.14, Lot 15

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 July 19, 2012, **#A-2**, and, two page architectural drawing prepared by Craig W. Brearley, AIA., dated May 24, 2012, **#A-3**. Mr. Visotcky stated that the Kelly family has owned the property since the sixties and that the applicant proposed to raise the home to allow for parking under the house which required a variance for height. Mr. Visotcky stated that the applicant also proposed to enclose the rear deck and a variance would be required for lot coverage to allow for new landing and steps. Mr. Visotcky stated that he had sent a letter to the adjacent property owners to see if they would be willing to sell a portion of their property which would eliminate the proposed lot coverage variance. Mr. Visotcky submitted the certified mail receipt to the adjacent property owner, marked **#A-4** and noted that he did not have a response.

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 changes proposed. Mr. Visotcky submitted photographs of the property which Mr. Brzozowski described, marked **#A-5**.

Mr. Craig W. Brearley, Architect, was sworn and described the proposed plans to the Board. Mr. Brearley stated that it was proposed to raise the home to allow for parking and storage below the home.

The Board discussed the proposal and the idea that the slab and home should be raised an additional six inches because of flooding in the area.

Ms. Kathleen Kelly, owner of the property was sworn and testified that the area does flood.

The Public Session was closed.

Mr. Visotcky requested that the application be approved as submitted or with the additional height as discussed.

The Board noted that as the lot was very small it would be logical to raise the structure for additional parking and storage underneath the home.

Moran moved, seconded by Konnor to approve the application as revised with the proposed height of the structure to be 33.3 feet. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Monaco, Pingaro, Schnell, VanBuren, Moran and Jones all voted **YES**.

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Under **Discussion** the Board addressed the Year End Report. The Board noted that off-street parking needed to be addressed.

(Tape #524 – Side 4)

VanBuren moved, seconded by Applegate to approve and submit the Year End Report as revised. The Board approved the motion by voice vote.

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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 went into closed session to discuss pending litigation.

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The meeting was adjourned at 9:10 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN