

**BRANT BEACH, NEW JERSEY
OCTOBER 10, 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.

Mr. A.P. 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: **Commissioner R. H. Bayard, J. C. Konnor, J. A. Leonetti, R. R. Monaco as Mayor's Designee, D. A. Southwick, R. S. VanBuren and Mrs. L. J. Schnell presiding.**

Members of the Board absent: **Mrs. V. E. Applegate, R. Pingaro and Mayor J. H. Mancini.**

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

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

(Tape #525 - Side 1)

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

(1) #LUB-20-12: DUFFY (Block 8.12, Lot 1) 12515 Beach Avenue, Dunes: Mr. Sicheri noted that the applicant proposed to install a hot tub in the front yard of the property. Mr. Sicheri stated that the proposed location required variances for front yard setback and distance from the principal structure.

(2) #LUB-24-12: LINDOERFER (Block 10.44, Lot 1.05) 10 East Nebraska Avenue, Haven Beach: Mr. Sicheri noted that the applicants proposed additions and renovations to the existing single family home which required variances for combined side yard, side yard setback and lot coverage.

front yard. The Board felt that the spa could be located next to the house, further from the street.

Mrs. Duffy amended her application to relocate the pool nine feet to the east which would require a variance for three feet from the principle structure.

The Public Session was closed.

The Board noted that as long as the spa was relocated further from the street they would not object to the distance of three feet from the principle structure.

Southwick moved, seconded by VanBuren to approve the application as amended and complying with the ordinance regarding pool fences. The following roll call vote was recorded: Bayard, Konnor, Leonetti, Monaco, Schnell, Southwick and VanBuren all voted **YES**.

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(2) #LUB-24-12 HAVEN BEACH

ERNA LINDOERFER, TRUSTEE
ERNA LINDOERFER SURVIVOR'S TRUST

Owner & Applicant
Block 10.44, Lot 1.05

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 July 19, 2012, revised August 22, 2012, #A-2, and, four page Architectural drawing prepared by Jay Madden, Architect, dated August 28, 2012, #A-3. Mr. Raban stated that the existing structures had complied with the setback requirements when they were built but that the requirements had changed. Mr. Raban stated that a variance for lot coverage would be eliminated by removing an existing handicapped ramp.

Mr. John L. Yoder, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the existing property. Mr. Yoder submitted a variance map revised to reflect the removal of the existing ramp and landing, marked #A-4 and photographs of the property, marked #A-5. Mr. Yoder described the photographs. Mr. Yoder stated that the applicant proposed to eliminate the detached garage and construct an attached garage with living area above. He noted that was typical of the homes in the area and would allow the applicant better access to the garage without going out in inclement weather.

Mr. Jay Madden, Architect, Harvey Cedars, New Jersey was sworn and described the proposed plans to the Board noting that side yard and combined side yard setback variances were required.

(Tape #525 – Side 2)

The Public Session was closed.

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

The Board felt that the request was reasonable and that it was desirable in the wintertime to have an attached garage.

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

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Mr. Southwick stepped down from the Board.

Under **Discussion**, the Board addressed the following request for a field change:

#LUB-12-11-PF BEACH HAVEN GARDENS

TIMOTHY L. AND ROBIN C. HOWARD
t/a ESCAPE HARBOR MARINA
Owners and Applicants
Block 6.30, Lot 4

Mr. Sichei stated that a request had been received from James Brzozowski, P.E. of Horn, Tyson and Yoder, Inc. requesting a change in the parking configuration.

Mr. John L. Yoder, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., stated that during the course of repaving 32nd Street the utility company had moved a utility pole to the access drive. The Board stated its concern with the forklift use and Mr. Yoder noted that there was a note on the plan prohibiting forklift use.

Konnor moved, seconded by Schnell to deny the request for reconfiguring the parking lot. The following roll call vote was recorded: Bayard, Konnor, Monaco and Schnell all voted **YES**. Leonetti and VanBuren voted **NO**. **The motion carried.**

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Mr. Southwick rejoined the Board.

LUB-17-11 HIGH BAR HARBOR

MARIE A LEE
Applicant
**MARIE LEE IRREVOCABLE FAMILY TRUST &
J. CLINTON & MARIE LEE FAMILY LIMITED PARTNERSHIP**
Owners
Block 23.03, Lot 28

The Board addressed a request from Mrs. Lee to waive the requirement of bonding for the water and sewer laterals. Mr. Sicheri noted that Mr. Little had responded that he did not have a problem recommending that the Board grant the waiver as any builder constructing a house on the lot would have to install the water and sewer to obtain a C.O.

Southwick moved, seconded by VanBuren to approve the request to waive the bond requirement. The following roll call vote was recorded: Bayard, Konnor, Leonetti, Monaco, Schnell, Southwick and VanBuren all voted **YES**.

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Mr. Sicheri discussed the ACME Resolution with the Board. The Board discussed a Restrictive Covenant as to lot 8 and providing in the restriction an exception, if ownership is by a Government Entity. **Southwick moved, seconded by Konnor to amend the Resolution for LUB-11-12-PF (ACME MARKETS, INC.)** The following roll call vote was recorded: Bayard, Konnor, Leonetti, Monaco, Schnell, Southwick and VanBuren all voted **YES**.

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

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During **Public Participation**, Mr. Paul Maina addressed the Board regarding the Howard application.

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The meeting was adjourned at 8:25 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN