

**BRANT BEACH, NEW JERSEY
AUGUST 8, 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, Commissioner R. H. Bayard, J. A. Leonetti, R. R. Monaco as Mayor’s Designee, , D. A. Southwick, R. S. VanBuren and J. C. Konnor presiding.**

Members of the Board absent: **Mayor J. H. Mancini, R. Pingaro and Mrs. L. J. Schnell.**

Alternate members of the Board present: **R. L. Jones.**

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

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

(Tape #521 - Side 1)

*** * * * ***

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

(1) #LUB-17-12: F & W PARTNERS, L.L.C. (Block 12.20, Lots 14.01 and 14.02) 12 and 16 East Sailboat Drive, Peahala Park: Mrs. Sicheri noted that the applicant proposed to demolish the existing structures and subdivide the property into three conforming residential building lots.

(2) #LUB-18-12: TRI BEE, L.L.C. (Block 15.65, Lot 3) 5503 Ocean Boulevard, Brant

Beach: Mrs. Sichiari noted that an application had been heard in July and denied. She stated that the applicants were bringing a revised application to permit the demolition of the existing single family home and the construction of a new single family home which required bulk variances for side yard setbacks.

(3) #LUB-19-12-PF: SCHULER (Block 15.39, Lot 1) 6115 Long Beach Boulevard, Brant Beach: Mrs. Sichiari stated that the applicant proposed to demolish the existing structure and construct a new mixed use building to contain two retail and two residential units. Mrs. Sichiari noted that the proposal required preliminary and final site plan approval as well as bulk and special reasons variance approval.

* * * * *

Minutes of the meetings held May 9, 2012 and June 5, 2012 were presented for approval. **Southwick** moved, seconded by **VanBuren** for adoption. The following roll call vote was recorded: **Applegate, Konnor, Leonetti, Southwick, VanBuren and Jones all voted YES.**

* * * * *

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

1. **#LUB-9-12: FLOOD** – Resolution of Denial moved by **Southwick**, seconded by **Southwick**. The following roll call vote was recorded: **Southwick voted YES.**
2. **#LUB-14-12: DALEDDA** – Resolution of Approval moved by **VanBuren**, seconded by **Southwick**. The following roll call vote was recorded: **Bayard, Konnor, Leonetti, Monaco, Southwick, VanBuren and Jones all voted YES.**
3. **#LUB-15-12: BENEDICT** – Resolution of Denial moved by **VanBuren**, seconded by **Southwick**. The following roll call vote was recorded: **Konnor, Leonetti, Southwick, VanBuren and Jones all voted YES.**
4. **#LUB-16-12: TRI BEE L.L.C.** – Resolution of Denial moved by **Southwick**, seconded by **Leonetti**. The following roll call vote was recorded: **Bayard, Konnor, Leonetti, Monaco, Southwick, VanBuren and Jones all voted YES.**

* * * * *

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

Mr. Jones stepped down from the Board for the following application:

RANDY AND YVONNE REITZ

Owners

F. & W. PARTNERS, L.L.C.

Applicant

Block 12.20, Lot 14.01 and 14.02

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 May 15, 2012, #A-2, and, review letter to the Board from Frank J. Little, Jr., P.E., dated July 27, 2012, #B-1. Mr. Raban stated that the application was for a conforming three lot subdivision.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn, described the existing property and the size of the lots as proposed. Mr. Brzozowski addressed the Board Engineer's review letter. He noted that the depressed curbs would comply with the requirements of Long Beach Township and that the proposed structures would comply with all zoning requirements. Mr. Brzozowski stated that the existing structures on the property would be demolished.

Mr. Myles Acken of 23 East Sailboat Drive was sworn and testified that he was not in favor of the application and the increased density.

Ms. Chris Acken of 23 East Sailboat Drive was sworn and testified that the subject property was a single family home.

Mr. Gary Bauer of 23 E Sailboat Drive was sworn and testified as to his concerns with parking.

Ms. Dawn Trattner of 3 East Sailboat Drive was sworn and stated her concerns with increased traffic and parking.

Mr. Acken stated his concerns with flooding in the area.

Ms. Margaret Talbot was sworn and testified that she was concerned with the height of the new homes.

Ms. Patricia Deacon of 22 East Sailboat Drive was sworn and stated her concerns with the proposed subdivision.

Mr. John Hunter of 44 West Sailboat Drive was sworn and stated his concerns with an increase in density.

The Public Session was closed.

Mr. Raban stated that the subdivision was appropriate for the neighborhood since the proposed lots conformed to the majority of the lots in the neighborhood. He noted that the

homes that could be built on two lots would be much more overpowering to the neighborhood than homes that could be built on three smaller lots.

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

While the Board understood the concerns of the neighborhood they noted that the proposed lots were of similar size to the existing lots in the neighborhood and that the houses built would be relative in coverage, setbacks and height to the existing homes. The Board noted that the subdivision was conforming.

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

* * * * *

(Tape #521 – Side 2)

Mr. Jones rejoined the Board.

(2) #LUB-18-12 BRANT BEACH

TRI BEE, L.L.C.
Owner & Applicant
Block 15.65, Lot 3

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 April 4, 2012, revised July 13, 2012, **#A-2**, and, two page Architectural drawing by Albert Dattoli, Architect, dated May 10, 2012, revised July 12, 2012, **#A-3**. Mr. Raban stated that the applicant had previously been before the Board with a variance request that had been denied. He stated that the applicant had revised the plan and no longer needed a lot coverage variance but was requesting variances for two setbacks.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc., was sworn and described the oceanfront property. Mr. Brzozowski stated that it was proposed to demolish the existing structure and construct a new single family home. Mr. Brzozowski stated that the existing side yard setback would be improved with the new structure. He noted that the proposed rear yard setback was the same as the existing setback and required a variance.

Mr. Thomas Bertucci, Applicant was sworn and testified that the plan had been revised to eliminate the request for a lot coverage variance and that the proposed home was comparable to other homes in the neighborhood. Mr. Bertucci noted that the proposed deck was in alignment with the other structures along the oceanfront.

The Public Session was closed.

Mr. Raban stated that the proposed rear yard setback was in alignment with all the other houses in the block and that the proposed structure would be an aesthetic improvement. Mr. Raban requested that the application be approved as submitted.

The majority of the Board felt that the proposal was acceptable as the side yard setback was being improved, the fifteen feet between structures was being maintained and the proposed structure was in alignment with the other homes along the oceanfront.

Leonetti moved, seconded by VanBuren to approve the application as submitted. The following roll call vote was recorded: Applegate, Bayard, Konnor, Leonetti, Monaco and VanBuren all voted **YES**. Southwick and Jones voted **NO**. The application passed.

* * * * *

Commissioner Bayard and Mr. Monaco stepped down from the Board for the evening.

(3) #LUB-19-12-PF BRANT BEACH

KEVIN J. SCHULER

Owner and Applicant

Block 15.39, Lot 1

Mr. Reginald J. Raban, Esquire represented the applicant and evidence was marked as follows: Application and Attachments, #A-1, Site Plan prepared by Horn, Tyson and Yoder, Inc., dated March 27, 2012, #A-2, three page architectural drawing prepared by Craig W. Brearley, AIA., dated June 21, 2012, A-3, and, review letter to Board by Frank J. Little, Jr., P.E., dated July 27, 2012, #B-1. Mr. Raban stated that the application was for preliminary and final major site plan approval and required an off street parking variance as well as a special reasons variance if necessary. Mr. Raban stated that it was proposed to remove the existing structure and construct a new building containing two commercial units on the first floor with a residential unit above each.

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 changes proposed. Mr. Brzozowski addressed Mr. Little's review letter. It was determined that a special reasons variance was necessary. The Board discussed the proposed setbacks and the proposed parking. Mr. Brzozowski noted that off street parking was available in the old railroad cut out and that the parking variance could be approved without detriment to the neighborhood.

(Tape #522 – Side 3)

The Board discussed the proposed trash corral and the proposed fence. It was determined that the proposed trash corral should be enlarged and located on the side of the property. It was also determined that additional trees be planted for a buffer (as determined by the Board Engineer) and that the proposed lighting be shielded. Mr. Brzozowski submitted

photographs of the property, marked #A-4. Mr. Brzozowski stated that the location was ideal for a commercial building and that the new building would be more aesthetically pleasing. He noted that lot coverage would be reduced.

Mr. Sean McGovern, Licensed Architect in the State of New Jersey, employed by Craig W. Brearley, Architect, was sworn and testified that that the proposed building would fit within the footprint of the existing building. Mr. McGovern described the proposed plans noting that the building was a traditional design.

Mr. Kevin Schuler, Applicant was sworn and testified that Fresh Cuts would be returning as a tenant and the other store would be an open retail space.

The Public Session was closed.

Mr. Raban stated that the application was consistent with the goals of the Master Plan to maintain commercial property along Long Beach Boulevard. Mr. Raban requested that the application be approved with the discussed changes.

The Board noted that the location of the proposed commercial building was appropriate because of all of the public parking and would be in keeping with the intent and purpose of the Master Plan in encouraging the development of commercial properties. They added that the new building would be an attractive addition to the neighborhood.

Southwick moved, seconded by Applegate to approve the application as submitted with the above noted changes as to the trash corral, lighting and landscaping. The following roll call vote was recorded: Applegate, Konnor, Leonetti, Southwick, VanBuren and Jones all voted **YES**.

* * * * *

Under **Correspondence** the Board addressed a letter from Reginald J. Raban, Esquire regarding the **Flood (LUB-9-12)** application which had been denied by the Board. Mrs. Sichi noted that the application could be modified and a new application submitted.

* * * * *

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

* * * * *

The meeting was adjourned at 8:45 P.M.

**JEFFREY C. KONNOR
VICE CHAIRMAN**