

**BRANT BEACH, NEW JERSEY  
SEPTEMBER 14, 2011**

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. Sichi**ri, 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, 2011 as required by the Open Public Meeting Act."

Members of the Board present: **Commissioner R. H. Bayard, Mrs. M. P. Cleary, J. A. Leonetti, R. R. Monaco, Mayor's Designee, R. S. VanBuren and J. C. Konnor** presiding.

Members of the Board absent: **Mrs. V. E. Applegate, Mayor J. H. Mancini, Mrs. L. J. Schnell and D. A. Southwick.**

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

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

Also present were the following: **Mrs. C. K. Sichi**ri, Esq., Board Attorney, **Mr. F. J. Little, Jr., P.E., Board Engineer** and **Mrs. B. M. Bielawne, Senior Clerk.**

**(Tape #501 - Side 1)**

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Mrs. Sichi

ri gave a brief overview of the applications to be considered:

**(1) #LUB-17-11: LEE (Block 23.03, Lot 28) 33 Adrian Road, High Bar Harbor:** Mrs. Sichi

ri stated that the applicant proposed to resubdivide the premises into two conforming lots. Mrs. Sichiri noted that the bulk variances for side yard and combined side yard setbacks were also required.

**(2) #LUB-14-11-PF: WOOLLEY (Block 5.15, Lots 1 & 2) 208 East 24<sup>th</sup> Street, Spray Beach:** Mrs. Sichi

ri noted that the application was a continuation from the June 8, 2011 meeting. Mrs. Sichiri stated that the applicant proposed to construct a deck surrounding the pool at the Spray Beach Motel which required preliminary and final site plan approval as

well as bulk and special reasons variances.

**(3) #LUB-19-11: BAXTER (Block 18.26, Lot 2) 2 Edgewater Drive, North Beach:** Mrs. Sicheri stated that the applicants proposed additions and renovations to the existing single family home which required a bulk variance for combined side yard setback.

**(4) #LUB-18-11: ORLAN (Block 10.27, Lot 11) 4 East Kentucky Avenue, Haven Beach:** Mrs. Sicheri noted that the applicants requested that the application be withdrawn.

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Minutes of the meeting held August 10, 2011 were presented for approval. The Board approved the minutes by voice vote.

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**(1) #LUB-14-11-PF SPRAY BEACH**

**JOHN WOOLLEY**  
Owner and Applicant  
Block 5.15, Lots 1 & 2

**Mr. Reginald J. Raban, Esquire, represented the applicant** and requested that the application be carried to the October 12, 2011 meeting as there were only five Board members in attendance eligible to vote on the application. **Jones moved, seconded by Cleary to carry the application to the October 12, 2011 meeting without a fee.** The following roll call vote was recorded: Cleary, Konnor, Leonetti, VanBuren and Jones all voted **YES**. Mrs. Sicheri announced that no further notice would be given.

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

- 1. #LUB-16-11-PF: OCCHIPINTI – Resolution of Approval moved by VanBuren, seconded by Cleary. The following roll call vote was recorded: Cleary, Leonetti and VanBuren all voted YES.**

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

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(2) #LUB-19-11 NORTH BEACH

**JAMES AND NANCY BAXTER**

Owners & Applicants  
Block 18.26, Lot 2

**Mr. Reginald J. Raban, Esquire represented the applicants and evidence was marked as follows:** Application and Attachments, #A-1, Variance Map prepared by Horn, Tyson and Yoder, Inc., dated July 6, 2011, #A-2, and six page architectural drawing prepared by Jay Madden Architect dated August 8, 2011, #A-3. Mr. Raban stated that the application was for a setback variance to add an addition to the property which was granted a variance to build a new home in 1991. Mr. Raban stated that the applicants proposed to square off the front of the house.

**Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson and Yoder, Inc.,** was sworn and described the existing property to the Board. Mr. Brzozowski stated that a four foot deep addition was proposed for the front of the property. He noted that in this section of Long Beach Township thirty foot combined side yard setbacks were required and would be difficult on the fifty foot wide property. Mr. Brzozowski stated that 27.2 feet was proposed for the combined side yard setback which required a variance. Mr. Brzozowski submitted a packet of photographs of the property, marked #A-4 and noted that because of the vegetation and size of the addition that it would not have a negative impact.

**Mr. Jay Madden, Architect, with the firm of Jay Madden, Architect of Harvey Cedars,** was sworn and described the proposed plans to the Board. He noted that a nicer façade was proposed for the front of the building.

**The Public Session was closed.**

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

The Board felt that the request was minimal and that the lot was oversized compared to other lots in the area. The Board noted that the addition would not have any negative impact since it was not visible to the surrounding properties

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

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(3) #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

**Mr. David Frank, Esquire represented the applicant and evidence was marked as follows:** Application and Attachments, #A-1, Minor Subdivision prepared by Nelke/Tyszka Land Surveyors, L.L.C., dated April 10, 2011, #A-2, and review letter to Board by Frank J. Little, Jr., P.E. dated September 2, 2011, B-1. Mr. Frank stated that the actual owner of the property was the J. Clinton and Marie Lee Family Limited Partnership.

**Mrs. Marie Lee and Ms. Suzanne Dunn, Partners in the J. Clinton and Marie Lee Family Limited Partnership** were sworn.

Mr. Frank stated that the lots were originally purchased as two separate lots and were inadvertently merged in 2004. Mr. Frank noted that the applicants proposed to resubdivide the property into two conforming lots. Mr. Frank stated that the proposal required side and front yard setback variances for the existing structure. He noted that submission waivers were also requested.

Mr. Frank requested that the steps that encroached into proposed lot 28.01 be allowed to remain at this time noting that the proposed subdivision was for estate planning purposes. Mr. Little noted that the applicant had requested that the subdivision be recorded by deed but suggested that the subdivision, if approved, be filed by map.

The Board discussed the staircase on the existing structure. Mr. Little noted that the building envelope on proposed lot 28.01 should be reduced to allow for a 7.3 feet side yard setback to maintain fifteen feet between structures.

The Board discussed the requested waivers for the Soil Erosion Plan and curbs and sidewalks. Mr. Little noted that a Soil Erosion Plan would be requested at the time of construction so a waiver was acceptable. Mr. Little noted that if the property was developed the curbs could be installed at that time.

**(Tape #501 – Side 2)**

Mr. Frank submitted photographs of the property, marked #A-3. Ms. Dunn described the photographs.

The Board discussed the application and the requested waivers. The Board felt that the subdivision should be filed by map and that the staircase should be removed prior to the map filing. The Board approved of the curb and sidewalk waiver.

**The Public Session was closed.**

**VanBuren moved, seconded by Jones to approve the application with the following**

**conditions: 1. that the steps be removed prior to the filing of the map, 2. the building envelope on proposed lot 28.01 to be reduced to allow for fifteen feet between structures, 3. the waiver of curbs and sidewalks to be granted, 4. the waiver of architectural plans to be granted, 5. the waiver of location of water sewer laterals shown on plan to be granted.** The following roll call vote was recorded: Bayard, Cleary, Konnor, Leonetti, Monaco, VanBuren and Jones all voted **YES**.

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The Board discussed a letter received from Richard P. Visotcky, Esquire regarding the **Orlan Application (LUB-18-11)**. Mr. Visotcky noted that a zoning permit had been issued and was therefore withdrawing the application. Mr. Visotcky requested that any unused escrow or application fees be returned to his client. The Board voted, by voice vote to return the entire escrow fee.

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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 8:10 P.M.

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