

**BRANT BEACH, NEW JERSEY
OCTOBER 13, 2016**

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. Sichiari, 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, 2016 as required by the Open Public Meeting Act."

Members of the Board present: **J.C. Konnor, J. A. Leonetti, E. J. Hummel as Mayor's Designee, and Mrs. L. J. Schnell presiding.**

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

Alternate members of the Board present: **P. M. Moran, R. L. Jones, R. Andreotta and R. B. Roth, Jr..**

Alternate members of the Board absent: **None.**

Also present were the following: **Mrs. C. K. Sichiari, Esq., Board Attorney, Mr. Frank J. Little, Jr, P.E., P.P., Board Engineer, Mrs. L. C. Krueger, Secretary for the Board/Commission and Mrs. S. L. Bongiovani, Clerk.**

(Tape #629 - Side 1)

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

1. #LUB-26-16: STRETCH (Block 15.136, Lot 4) 3408A Long Beach Boulevard, Brant Beach: Mrs. Sichiari stated that the applicants proposed to demolish the existing three car garage and to construct a two car garage with three offices and a conference room. The applicants proposed to retain the existing front building. Mrs. Sichiari stated that major site plan along with bulk and special reasons variance approval were required.

2. #LUB-27-16: GREENBLATT (Block 20.113, Lot 1.01) 103A Long Beach Boulevard, Loveladies: Mrs. Sichiari stated that the applicants proposed to construct an elevator on the existing single family home which required a bulk variance for rear yard setback.

3. #LUB-28-16: DONNELLY (Block 20.162, Lot 1) 166A Long Beach Boulevard, Loveladies: Mrs. Sichiari stated that the applicant proposed to construct an elevator on the existing single family home which required a bulk variance for rear yard setback.

Mr. Russell Bodnar, Architect and husband of the applicant was sworn and described the proposed plans to the Board. Mr. Bodnar submitted photographs of the existing structure, marked **#A-4**. Mr. Bodnar stated that the second level would have an open covered porch and would improve the look of the home. He noted that he would like to extend the deck along the front of the structure. It was noted that the existing lot coverage was 45% and that the proposed lot coverage was 52%. The Board discussed the excessive lot coverage. Mrs. Sicheri stated that Mr. Bodnar could request that the application be held over to submit revised plans.

The Public Session was closed.

Mr. Raban requested that the application be approved as submitted noting that the structure would be an improvement to the neighborhood and that the benefit derived would outweigh any detriment. He stated that there was a vacant lot to the west so there would not be an encroachment on that side of the property.

The Board did not have an issue with the proposed plan staying within the existing footprint or with the existing lot coverage of 45% but felt that the proposed lot coverage of 52% was excessive.

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

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

(2) **#LUB-26-16** BRANT BEACH

STRETCH LIVING TRUST

Owner & Applicant

Block 15.136, Lot 4

Mr. James Raban, Esquire represented the applicants and evidence was marked as follows: Application and Attachments, **#A-1**, Site Plan prepared by Horn, Tyson and Yoder, Inc. dated January 16, 2014 with the latest revision date of August 15, 2016, **#A-2**, four page architectural drawing by Craig W. Brearley, A.I.A. dated August 5, 2016, **#A-3**, review letter to the Board dated September 26, 2016, **#B-1** and, letters from neighboring property owners, **#I-1**. Mr. Raban stated that the application was for preliminary and final major site plan approval. He stated that the building existing in the front of the property would not be changed but that the existing three car garage would be demolished with a new structure built for garage and office space. He stated that there would not be an intensification of the commercial use. He noted that there would not be any change to the current parking layout. Mr. Raban stated that although the proposed plan showed the two structures connected by a breezeway, the applicants proposed to remove it and create two separate principal structures.

Mr. James Brzozowski, P.E., P.P. with the firm of Horn, Tyson & Yoder, Inc. was sworn and described the existing property to the Board. He noted that the main portion of the property was in the commercial zone and that the westerly ten feet of the property was located in the

residential zone and therefore required a special reasons variance. Mr. Brzozowski stated that the existing garage would be demolished and that the new structure would be built in essentially the same location but shifted slightly to the south to provide more room on the north side of the property. He noted that the steps and the outdoor shower would encroach into the side yard setback. It was determined that the breezeway should remain and that the impervious coverage could be reduced by using stone in the parking lot.

(Tape #629 – Side 2)

Mr. Brzozowski addressed the Board Engineer's review letter. Mr. Brzozowski discussed the proposed parking with the Board. Mr. Brzozowski stated that the new structure would be an aesthetic improvement and not adversely impact the neighbors. The access easement was discussed. The Board discussed providing more parking by relocating the deck columns.

Mr. Craig Brearley, Architect was sworn and discussed the existing and proposed architectural plans. The number of proposed offices was discussed as well as the existing structure. Mr. Brearley stated that the deck columns could be rearranged to allow for parking under the deck.

Kevin and Viktoriya Stretch, applicants were sworn and described how the existing parking was used. Mr. Stretch stated that not many customers come to the office and that they were expanding the rear building mainly for the employees. He noted that because of the soil tests the front building could not be raised. Mrs. Stretch stated that the front building would serve mainly as storage due to the flooding of the building.

Mr. John Tumino, adjacent property owner was sworn and testified that when the deck was built it interfered with the parking and that a dumpster was brought in that interfered with the easement access. Mr. Tumino stated that even if the columns of the deck were moved it would not help with the parking situation because the Stretch's vans were too tall to fit under the deck. Mr. Tumino stated that he was not in favor of the application as submitted but would be in favor of a new conforming structure.

(Tape #630 – Side 3)

A limited power of attorney on behalf of Mr. Frank Taylor was submitted by Mr. Bart Pio, marked as **#O-1**.

Mr. Bart Pio was sworn and read a letter from Mr. Frank Taylor into the record stating Mr. Taylor's concerns regarding the requested variances and site plan approval. The letter and attached photographs were submitted to the Board and marked as part of **#O-1**.

Ms. Kathlene Hoxworth neighboring property owner was sworn and testified as to her concerns with parking.

The Public session was closed.

Mr. Stretch addressed the Board regarding the concerns raised by the neighbors and stated that he had done things to fix up the front building.

Mr. Raban stated that the public had complaints about what was existing and that what was proposed would be a vast improvement over what was there now. He stated that the proposed rear building would be the start of improvements to the property. He stated that if the application were approved the parking would be improved.

Mr. Little suggested that if the applicants were planning to do something with the front building why not remove the deck and park head on towards the building. He stated that the deck interfered with improving the parking. He noted that removing the deck could be a condition of approval in order to provide more parking and to start moving towards doing something with the front building. He pointed out that the deck height was such that the vans would not fit under the deck.

The Board took a five minute recess.

Mr. Raban stated that the applicants would like to keep the deck but proposed to move the support columns to allow for vans to park underneath the deck. Mr. Raban submitted photographs of the deck, marked #A-4. Mr. Raban stated that the application would stay as submitted with the understanding that the applicants would move the columns to allow for more parking under the deck.

The Board noted that the removal of deck would be helpful to improve parking. The majority of the Board felt that front building should be torn down and rebuilt with adequate parking underneath and elevating the structure to address flooding issues. The Board noted that the application included a special reasons variance and that there was not a benefit to the neighborhood. It was also noted that with the increase in impervious surface and parking issues on the small lot some members would prefer to see whole complex changed.

Moran moved, seconded by Jones to deny the application as submitted. The following roll call vote was recorded: **Konnor, Schnell, Moran, Jones and Andreotta** all voted **YES**. **Leonetti and Roth** both voted **NO**. **The application was denied.**

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Mr. Hummel rejoined the Board.

(3) #LUB-27-16 LOVELADIES

RHONDA GREENBLATT

Owner & Applicant

Block 20.113, Lot 1.01

Mr. Richard 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 8, 2016, #A-2 and, four page architectural drawing prepared by Jay Madden, Architect, dated August 24, 2016, #A-3. Mr. Visotcky stated that the applicant was requesting a front yard variance to allow an elevator on the north side of the structure. He noted that the house was skewed on the lot and that the tip of the elevator encroached into the setback of the utility easement by 1.8 feet. He noted that the only access to the subject property was from Long Beach Boulevard and that all other setbacks would be met.

Mr. Robert Kiss, Esquire representing Benadetto Casamento of 103B Long Beach Boulevard stated that his clients were concerned with the clearance of the site triangle and easement in accordance with the zoning regulations. He asked that it be noted in the Resolution that the applicant keep the easement and site triangle in an open manner.

Mr. Jay Madden, Architect was sworn and described the proposed plans to the Board. Mr. Madden stated that there would be a grade level door to access the elevator.

The Public Session was closed.

The Board felt that the request was a minimal deviation from the required setback.

Moran moved, seconded by Hummel to approve the application with the stipulation that site triangle on the easement be maintained. The following roll call vote was recorded: **Konnor, Leonetti, Hummel, Schnell, Moran, Jones, Andreotta and Roth** all voted **YES**.

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(4) #LUB-28-16 LOVELADIES

PATRICIA DONNELLY

Owner & Applicant

Block 20.162, Lot 1

Mrs. Patricia Donnelly represented herself and evidence was marked as follows: Application and Attachments, **#A-1**, Building Permit Plot Plan prepared by Horn, Tyson and Yoder, Inc., dated December 22, 2015, **#A-2**, Tax Map showing property location, **#A-3**, Elevation Certificate dated December 22, 2015, **#A-4**, and, one page architectural drawing prepared by Jeremiah J. Regan, Architect dated April 3, 2016, **#A-5**. Mrs. Donnelly stated that the existing home was reversed living and that there was a need for an elevator for easier access to the upper floors.

Mr. Jeremiah J. Regan, Architect was sworn and described the proposed plans for the elevator. The Board discussed the access to the elevator with Mr. Regan and noted that the elevator should be at grade level without any stairs for easier access.

Mr. Robert Donnelly was sworn and testified that they had proposed a few steps to be above the grade in case of rain.

(Tape # 630 – Side 4)

It was noted that a variance was required for the side yard setback to the elevator shaft.

The Public Session was closed.

The Board felt that the request was minimal and would not have any negative effect on the neighborhood.

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

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Under **Correspondence** the Board addressed a letter from Stuart Platt Attorney for Plaintiffs Meunier, Re: Leonetti (LUB-21-15A).

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Under **Discussion** the Board discussed the 2017 Land Use Board Meeting Dates. The Board voted, by voice vote, to approve of the proposed 2017 meeting dates, for the second Wednesday of each month.

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

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The meeting was adjourned at 9:15 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN