

**BRANT BEACH, NEW JERSEY
JANUARY 10, 2018**

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, 2018 as required by the Open Public Meeting Act.”

Members of the Board present: **J.C. Konnor, E.J. Hummel as Mayor’s Designee, J.A. Leonetti, R. Pingaro, D.S. Southwick, R. S. VanBuren, and Mrs. L. J. Schnell presiding.**

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

Alternate members of the Board present: **R.L. Jones, R.B. Roth, Jr. and R.J. Stewart.**

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

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

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(Tape #663 - Side 1)

Mrs. Schnell announced that the reorganization of the Board would take place and noted that four members of the Board, Mr. Pingaro, Mr. Jones and Mr. Roth had been reappointed and sworn in and welcomed new Board member Mr. Robert J. Stewart.

Mr. Sicheri asked for a nomination for **Chairman. Konnor moved, seconded by Roth to nominate Lynne J. Schnell.** The Board approved the motion by voice vote.

Chairman Schnell asked for a motion for **Vice Chairman. Southwick moved, seconded by Pingaro to nominate Jeffrey C. Konnor.** The Board approved the motion by voice vote.

Chairman Schnell asked for a motion for **Secretary. Southwick moved, seconded by Roth to nominate Ronald Pingaro.** The Board approved the motion by voice vote.

Chairman Schnell asked for a motion for **Board Attorney. Roth moved, seconded by Southwick to retain the firm of Sicheri and Sicheri, P.C..** The Board approved the motion by voice vote.

Chairman Schnell asked for a motion for **Board Engineer**. **Southwick moved, seconded by Pingaro to retain Frank J. Little, Jr., P.E. with the firm of Owen, Little and Associates Inc.** The Board approved the motion by voice vote.

Chairman Schnell asked for a motion for **official newspapers**. **Roth moved, seconded by Southwick to retain the Beach Haven Times and Asbury Park Press as the official newspapers.** The Board approved the motion by voice vote.

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

1. #LUB-1-18: SHOLEVAR (Block 20.33, Lot 1) 33A Long Beach Boulevard, Loveladies: Mr. Sicheri stated that the applicant had obtained a permit to construct a new home and now would like to add a deck which required a variance for the combined side yard setback.

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Minutes of the meeting held December 13, 2017 were presented for approval. **Southwick moved, seconded by Hummel for adoption. Konnor, Leonetti, Hummel, Pingaro, Schnell, Southwick, VanBuren and Jones all voted YES.**

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Mrs. Schnell listed the following **Resolutions of Memorialization:**

1. #LUB-27-17(A): TYMIAK/ACKERMAN – Resolution of Approval moved by Hummel, seconded by Konnor. The following roll call vote was recorded: Konnor, Leonetti, Hummel, Schnell and VanBuren all voted YES.

2. #LUB-38-17: MEISNER – Resolution of Approval moved by Konnor, seconded by VanBuren. The following roll call vote was recorded: Konnor, Leonetti, Hummel, Pingaro, Schnell, Southwick and VanBuren all voted YES.

3. #LUB-39-17: JONES/HOOVEN – Resolution of Approval moved by Southwick, seconded by Hummel. The following roll call vote was recorded: Konnor, Leonetti, Hummel, Pingaro, Schnell, Southwick and VanBuren all voted YES.

4. #LUB-40-17: ZANGER – Resolution of Denial moved by Hummel, seconded by Konnor. The following roll call vote was recorded: Konnor, Leonetti, Hummel, Pingaro Schnell and VanBuren all voted YES.

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Mrs. Schnell noted that there was one application to be considered, as follows:

(1) **#LUB-1-18** LOVELADIES

G. PIROOZ SHOLEVAR

Owner & Applicant

Block 20.33, Lot 1

Mr. Stuart Snyder, Esquire of Surf City, NJ represented the applicant and evidence was marked as follows: Application and Attachments, **#A-1**, Survey of property with Topography & Plot Plan for Variance prepared by TEC Engineering and Ronald W. Post Surveying, Inc. dated October 5, 2017, **#A-2**, Four page architectural plans prepared by Gym Wilson Architects, A.I.A. dated October 5, 2017 with a revision dated November 5, 2017, **#A-3**, and Zoning Permit dated August 8, 2017, **#B-1**. Mr. Snyder stated that the applicants were requesting a variance for combined side yard setback. Mr. Snyder stated that no work had been done in the side yard and that the applicant was before the Board asking for approval, not forgiveness. Mr. Snyder stated that if the Sholevar's were to subdivide their property the proposal would be conforming. Mr. Snyder stated that if the property were subdivided there would be no frontage on Long Beach Boulevard and would reduce the combined side yard setback requirement from 38 feet to 30 feet. Mr. Snyder stated that all other zoning requirements were being complied. He noted that since there was substantial open space on the property that light and air of surrounding properties was not affected.

Mr. James Giordano with the firm of TEC Engineering in Pt. Pleasant, New Jersey, was sworn and qualified. Mr. Giordano testified that the surrounding properties were of similar size and described the existing property. He stated that the applicants proposed a combined side yard setback of 30.5 feet. Mr. Giordano stated that the property is seven times larger than what was permitted in the zone and that the construction as proposed would not have a detrimental impact on surrounding properties. He noted that there would be an elevated pool on the proposed deck.

The Board noted that although the plans indicated that the existing home was to be raised that that the existing home had been demolished creating a vacant lot and that the applicants were now building a new single family home.

Mr. Paul Tufano of 35B Long Beach Boulevard, Loveladies was sworn and addressed the Board with no objection to the application.

The Public session was closed.

The majority of the Board felt that it did not make sense to subdivide the property to create conforming setbacks and noted that the neighbors did not object to the proposed construction. Other members of the Board felt that since the structure had been removed and the lot was so large that the new structure could be made to conform.

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

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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 7:45 P.M.

LYNNE J. SCHNELL
CHAIRMAN

JEFFREY C. KONNOR
VICE CHAIRMAN