

THE CHAIR RESERVES THE RIGHT TO REVISE  
THE ORDER OF THE AGENDA AS NEEDED.

**Borough of Beachwood Joint Land Use Board**  
**1600 Pinewald Road**  
**Beachwood, NJ 08722**  
**732-286-6000 ext 213**  
**AGENDA**  
**September 14, 2020**  
**7:00 p.m.**

1. CALL REGULAR MEETING TO ORDER IMMEDIATELY FOLLOWING CAUCUS
2. FLAG SALUTE
3. CERTIFICATION OF COMPLIANCE - NJ Open Public Meetings Act: The time, date and location of this meeting was published in The Asbury Park Press on December 27, 2019. This meeting meets all the criteria of the Open Public Meetings Act.
4. CHAIRMAN'S STATEMENT: This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times. Due to this meeting being conducted virtually we ask all members of the public to mute their microphone or telephone until such time that the Applications are opened to the public for questions and comments. Your comments will be limited to 5 minutes per person and we ask that you do not repeat what a previous person/objector has already objected to or commented on other than to acknowledge agreement.
5. ROLL CALL OF MEMBERS AND CONSULTANTS:  
Tom Abramski  
Councilman Cairns  
Ray DiBernardo  
Randy Martin  
Tom Prince  
David Raimann  
Mayor Roma  
Paul Swindell  
TJ Wrocklage

**ALTERNATES:**

**6.APPLICATION**

Eagles Point Holdings, LLC  
648 Ship Avenue  
Beachwood, NJ 08072

The property in question is a rectangular lot located on the westerly side of Ship Avenue approximately 80 feet north of the intersection with Oak Street. It is located in the R-B Residential Zone and has an area of 4,000 sf. The property is currently vacant and wooded. The applicant purposes to construct a 1-story single-family detached dwellings are a permitted use in the RB Residential Zone.

The first Bulk Variance Application submission was received on May 8, 2020. The Borough Engineer has provided a letter date May 21, 2020 setting the application fees and escrow fees. The application fee is 250.00 as per Ordinance Section 17-10.7d3(c) and escrow fees in the amount of 1,500 per Ordinance Section 17-10.7d4(c). The second Bulk Variance Application was received on August 8, 2020 and a review letter was received from CME Engineer, John Hess. The letter addresses the following:

ZONING REQUIREMENTS (R-B Residential zone)

<u>Zoning Item</u>	<u>Required</u>	<u>proposed</u>
Minimum Lot Area	8,000 sf	4,000 ft
Minimum Lot Width	80 ft	40 ft*
Side Yard Setback	10 ft	8.0*
Min. Side Yard Setback (Combined)	20 ft	16.0 ft*
Min. Rear Yard Setback	30 ft	26.5 ft*
Min. Distance Between Buildings	20 ft	14.5 ft*

\* = Variance Required

.GENERAL COMMENTS

1. As stipulated in Section 17-12.5a2 of the Beachwood General Ordinances, the Applicant must submit a certificate of taxes paid from the Tax Collector's office.
2. As stipulated in Section 17-12.5a3 of the Beachwood General Ordinances, the Applicant must submit an Affidavit of Ownership.
3. As stipulated in Section 17-12.5b2(c) of the Beachwood General Ordinances, the Applicant must submit a current survey of the property.
4. As stipulated in Section 17-12.5b3 of the Beachwood General Ordinances, the Applicant must submit a two hundred (200') foot radius map showing the approximate relationship to all affected lands, structures and the property in question.
5. As stipulated in Section 17-12.5c1 of the Beachwood General Ordinances, the Applicant must submit information in the form of a title report by an acknowledged title company or similarly constructed documents which clearly trace the chain of ownership from the adoption of the Zoning Ordinance which made the property nonconforming.
6. As stipulated in Section 17-12.5c3 of the Beachwood General Ordinances, the Applicant must submit verification from the Beachwood Sewerage Authority and Beachwood Water Department that potable water and sanitary sewer lines are available to the property or that alternative means are proposed for sewage disposal or potable water service.
7. We note that the proposed grading along the northerly side of the dwelling will direct stormwater towards the northerly property line which is unacceptable. As stipulated in Section 17-12.5c6(b)(r)(1) of the Beachwood General Ordinances, the Applicant must grade the lot so that the storm water drains directly to the street.
8. It shows on the Plot Plan that the finish floor elevation will be 49.0 whereas the spot grades at the corners of the dwelling will vary from 47.0 to 48.0. As a result, the exposed basement wall height will vary from 1 to 2 ft. It shows on the architectural plans that three (3) 3036 egress windows are proposed in each side wall of the basement and two (2) 3036 egress windows are proposed in the rear wall of the basement. We note that the specified egress windows will be 30" high whereas the exposed basement wall will vary from 1 ft to 2 ft high. This discrepancy must be resolved.

9. The lengths of the staircases accessing the front and rear of the dwelling vary significantly between the Plot Plan and the architectural plans. The plans must be reviewed and all discrepancies must be resolved. We note that an increase in the length of the front staircase could encroach into the proposed parking spaces.
10. It shows on the Plot Plan that the proposed 4' x 4' covered porch at the rear of the dwelling encroaches into the required rear yard setback. As a result, the applicant requires a variance to permit a rear yard setback of 26.5 ft whereas 30 ft is required. The Zoning table on the Plot Plan must be revised accordingly.
11. The Applicant should address the Board regarding the following issues:
  - a) Certified offers to sell this lot or to purchase portions of adjoining lots at fair market value to eliminate the requested variances.
  - b) The reasons for the requested variances.
  - c) The makeup of the surrounding neighborhood and how the proposed dwelling conforms with respect to size, style and value.
  - d) The feasibility of reducing the size of the proposed dwelling to comply with the required side yard setbacks.

On September 1, 2020 a revised Plot Plan was received from the new engineer, MCH Engineering Inc. In kind a review letter from CME Associates was received on September 2, 2020. The review letter states the following;

ZONING REQUIREMENTS (R-B Residential zone)

<u>Zoning Item</u>	<u>Required</u>	<u>proposed</u>
Minimum Lot Area	8,000 sf	4,000 ft*
Minimum Lot Width	80 ft	40 ft*
Side Yard Setback	10 ft	8.0*
Min. Side Yard Setback (Combined)	20 ft	16.0 ft*
Min. Rear Yard Setback	30 ft	26.5 ft*
Min. Distance Between Buildings	20 ft	14.5 ft*

\* = Variance Required

GENERAL COMMENTS

1. As stipulated in Section 17-12.5a2 of the Beachwood General Ordinances, the Applicant must submit a certificate of taxes paid from the Tax Collector's office.
2. As stipulated in Section 17-12.5a3 of the Beachwood General Ordinances, the Applicant must submit an Affidavit of Ownership.
3. As stipulated in Section 17-12.5b2(c) of the Beachwood General Ordinances, the Applicant must submit a current survey of the property.
4. As stipulated in Section 17-12.5c1 of the Beachwood General Ordinances, the Applicant must submit information in the form of a title report by an acknowledged title company or similarly constructed documents which clearly trace the chain of ownership from the adoption of the Zoning Ordinance which made the property nonconforming.

5. As stipulated in Section 17-12.5c3 of the Beachwood General Ordinances, the Applicant must submit verification from the Beachwood Sewerage Authority and Beachwood Water Department that potable water and sanitary sewer lines are available to the property or that alternative means are proposed for sewage disposal or potable water service.

On September 9, 2020 Review Letter #4 was issued by CME and Associates as follows

1. A copy of a September 3, 2020 letter was received from Harvey York Esq. with Novins, York and Jacobus of Toms River, Nj to the Borough of Beachwood which addresses the submission requirements in our September 2, 2020 review letter.
2. A print of a Map of Survey prepared by John W. Lord, PE, PLS with KTP Consulting, LLC of Brick, new dated November 27, 2019.
3. An Affidavit of Ownership dated August 3, 2020.
4. A September 2, 2020 letter from the Beachwood Sewerage Authority which states that a sewer main is available in the street in front of 648 Ship Avenue and a lateral will have to be installed at the owners expense.
5. A September 3, 2020 letter from the Borough of Beachwood which states that city water is available at 648 Ship Avenue and a hook up fee has not yet been paid.
6. A Certificate of Title prepared by Harvey L. York Esq. dated September 3, 2020.
7. A September 2, 2020 statement from the Tax Collectors Office which shows that the property taxes have been paid through the 3<sup>rd</sup> quarter of 2020.

In addition to the above, the Engineer's office previously received the following information as a part of the previous submissions for this application:

1. A print of a Plot Plan for Variance (1 Sheet) prepared by Matthew C. Hockenbury, PE with MCH Engineering, Inc. of Toms River, New Jersey and bearing a latest revision date of September 1, 2020.
2. A set of architectural plans prepared by Walter J. Hessberger, RA of Brick, NJ dated March 2, 2020.
3. A completed Land Use and Development Application
4. A completed Affidavit of Non Collusion dated May 11, 2020.

#### RECOMMENDATIONS

Based on the review performed by the Board Engineer it is recommended that this application be deemed complete for consideration by the Land Use Board subject to the applicant complying with all applicable notification requirements as set forth in the Borough of Beachwood Ordinances and the Municipal Land Use Law. In addition, at least 10 days prior to the public hearing, the Applicant must submit to the Board the information requested in General Comments #1, 2, 3, 4, 5 & 6 above. Failure to submit this information will result in the application being deemed incomplete and carried to a future meeting. Should the Board reach a favorable decision on this application, any approval should be conditioned upon the following:

1. Submission of a Plot Plan and/or architectural drawings that have been revised to reflect any Board directed changes.
2. Application to and approval from the Borough Building Department prior to any clearing, demolition or construction.
3. Payment of all required fees.
4. Verification of real estate tax payment.

5. Receipt of approvals and compliance with all permit conditions from any Federal, State, County or local regulatory agency having jurisdiction over this application.

**Open to the Public –**

**Close to the Public –**

**Motion - Resolution 2020-** Approve/Deny Eagles Point Holdings , LLC for Bulk Variance (5)

**Correspondence: None**

**BOARD MEMBERS:**

**ALTERNATE MEMBERS:**

Tom Abramski  
William Cairns  
Ray DiBernardo  
Randy Martin  
Tom Prince  
David Raaimann  
Ron Roma  
TJ Wrocklage  
Paul Swindell

**PROFESSIONALS:**

Robert Ulaky, Esq.  
John Hess, PE, CME

7. **BUSINESS OF THE BOARD:**

a. **2019-53A**

**Casa Nova Today**  
**Block 2.16 Lot 3,4,5**  
**200, 208 and 212 Atlantic City Blvd.**  
**2019-53A Amended Resolution**  
Please see the attached

8. **RESOLUTIONS:**

**2019-53A**

9. **ADMINISTRATIVE APPROVAL**

A. Block 1.05 Lot 12-648 Ship Avenue

To allow crawlspaces in the proposed houses which have already received variance approval

10. **BILL LIST APPROVAL-\$2,691.70**

11. **APPROVAL OF MINUTES:**

12. **OLD BUSINESS:**

Borough of Beachwood Joint Land Use Board  
September 14, 2020

13. NEW BUSINESS:
  
14. OPEN MEETING FOR GENERAL PUBLIC FORUM
  
15. LITIGATION / EXECUTIVE SESSION:
  
16. ADJOURN