

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

Borough of Beachwood Land Use Board
1600 Pinewald Road
Beachwood, NJ 08722
732-286-6000 ext. 220
AGENDA
May 10, 2021
7:00 PM

1. CALL REGULAR MEETING TO ORDER
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 18, 2020 and The Star Ledger on January 5, 2021. 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. 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:
Tom Prince
Tom Abramski
Councilman Cairns
Michael Mandica
Randy Martin
Tom Prince
David Raimann
Mayor Roma
Paul Swindell
TJ Wrocklage

ALTERNATES:
6. APPLICATION: **None**
7. BUSINESS OF THE BOARD
 - a. **REMINDER:** 2021 Financial Disclosure Statements to be completed by June 1st
8. RESOLUTIONS – **RESOLUTION OF THE LAND USE BOARD OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, MEMORIALIZING THE APPROVAL OF A MINOR SUBDIVISION AND VARIANCE APPLICATION TO JAMES RINDERER FOR PROPERTY KNOWN AS BLOCK 11.34, LOT 8, A/K/A 301 ANCHOR AVENUE, BOROUGH OF BEACHWOOD, NEW JERSEY**

RESOLUTION #2021-11

WHEREAS, James Rinderer applicant, is the owner of certain property identified as Block 11.34, Lot 8 located at 301 Anchor Avenue, Beachwood, New Jersey; and

WHEREAS, the applicant has applied to the Land Use Board of the Borough of Beachwood, County of Ocean, State of New Jersey for minor subdivision approval to subdivide the property into two (2) lots; and

WHEREAS, the applicant seeks variance relief as follows for proposed new Lot 8.02:

1. Minimum side yard setback 10 feet required, 3.9 feet proposed.
2. Minimum rear yard setback 30 feet required, 19.1 feet proposed.
3. Accessory Use – side yard setback 5 feet required, 4.3 feet proposed for the shed.

WHEREAS, a public hearing was conducted on the application on April 26, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Beachwood, County of Ocean, State of New Jersey, that the Board makes the following findings of fact and conclusions of law:

1. The application is complete and the Board has jurisdiction.
2. The applicant is the owner of the subject property.
3. The applicant seeks variance relief as set forth in the preamble of this resolution.
4. The applicant submitted a Plan entitled “Minor Subdivision Map prepared for James M. Rinderer, Block 11.34, Lot 8, Borough of Beachwood, Ocean County, New Jersey” prepared by Jay F. Pierson, PLS, PP of East Coast Engineering dated February 5, 2021.
5. The applicant’s engineer, Jason M. Marciano, P.E., P.P. testified that both new lots would meet the minimum lot area requirements of 8,000 square feet. Mr. Marciano testified in support of the variances that are requested as they are required due to the configuration and location of the existing dwelling and shed.
6. Mr. Marciano testified that the applicant will comply with the terms and conditions of the review letter of CME Associates dated March 9, 2021.
7. The public portion of the hearing was lawfully conducted and no public comment was received.
8. Based upon the above testimony and the evidence received during the public hearing, a Motion to approve the application was made subject to the conditions that the applicant agrees to comply with all representations placed on the record and with the submittal and subject to the applicant complying with all provisions of the review letter of CME Associates dated March 9, 2021. The application is further approved on condition that the French door leading to the adjoining new Lot 8.01 will be closed off and the steps removed and replaced with an egress window. Furthermore, at least a 20-foot minimum distance between buildings will be provided for the construction of the new dwelling on new Lot 8.01. In addition, the applicant shall remove the shed and the applicant shall remove all concrete on new Lot 8.01 to be removed prior to issuance of the Certificate of Occupancy for the new dwelling to be constructed on Lot 8.01.
9. The application is further approved subject to the condition that the applicant pay all taxes, application and escrow fees associated with the property and the applicant comply with all outside agency approvals, including Ocean County

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Planning Board, Ocean County Soil Conservation District, Borough of Beachwood Sewerage Authority, Borough of Beachwood Water Department and then the other local, county, state and federal agency approvals as may be required.

10. In approving this variance application, the Board has made a finding of fact and conclusion of law that the applicant has met his burden of proof in demonstrating that the required variances can be granted without substantial detriment to the public good and that the variances will not substantially impair the intent and purpose of the zone plan and zoning ordinances. The Board has found that the applicant has met his burden of proof in demonstrating that the positive and negative criteria required for variance approval under the Municipal Land Use Law has been satisfied.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Applicant, the Building Department, the Zoning Officer and the Borough Clerk by the Land Use Board Secretary.

BE IT FURTHER RESOLVED that notification of this favorable Resolution be published in an official newspaper of Beachwood by the Land Use Board Secretary within ten (10) days of its passage.

Motion:
Second:
Roll Call:

9. BILL LIST APPROVAL – \$578.00

10. APPROVAL OF MINUTES: April 26, 2021

Motion:
Second:
Roll Call

11. OLD BUSINESS

12. OPEN MEETING FOR GENERAL PUBLIC FORUM

13. ADJOURN