

November 28, 2022

Land Use Board Minutes
Beachwood Municipal Complex
1600 Pinewald Road

7:00PM



CALL TO ORDER

The Land Use Board Secretary, Gabrielle Napolitano called the meeting to order at 7:00 pm.

FLAG SALUTE:

The Flag Salute was led by the Chairman of the Land Use Board, Tom Prince.

SUNSHINE LAW:

Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this Meeting of the Borough of Beachwood's Land Use Board posted on the Bulletin Board located in the Municipal Complex and transmitted to the Asbury Park Press January 16, 2022.

The Chairman, Tom Prince, read the Chairman's Statement as follows:

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.

ROLL CALL MEMBERS PRESENT:

Present: Tom Abramski, Michael Mandica, Randy Martin, Tom Prince, Paul Swindell, and TJ Wrocklage

Professionals Present for the Municipality: John Hess from CME Associates and Mr. Robert Ulaky, ESQ from the firm of Dasti, Murphy, Connors and Ulaky

Absent: Councilman Cairns, David Raimann, and Mayor Roma

Alternates: Vacant

APPLICATIONS:

A. Shaul (Moshe) Sugar – Minor Subdivision Application – 744 Ocean Avenue – Block 10.33 Lot 13

The applicant's attorney presented the continuation of the minor subdivision application for block 10.33 lot 13, also known as 744 Ocean Avenue. He noted the Board's comments from the previous meeting pertaining to the plans for the oversized lot. The Land Use Board listened to the proposal for the existing dwelling to remain and implement another dwelling on an undersized lot (6000 square feet). An encroachment agreement was also proposed, but not favorable of the Board. The new proposal requested relief for the side yard setback, rear yard setback, and the frontage width. Mr. Sugar's attorney submitted this revised plan known as Exhibit A3. The applicant chose this path due to the excessive financial cost any sort of demolition to the existing property would cause. The planner was introduced, and reiterated the idea of the revised plan. He emphasized the current proposal would exhibit ten extra feet than required in the R-A Zone.

Mr. Michael Mandica was marked present at this point of the meeting.

The new proposal shows the existing dwelling remaining and splitting the lot through the backyard of the current house. He emphasized that many other lots in the neighborhood contain a lesser width than

required. Mr. Prince, Land Use Board Chairman, questioned the planner on his use of the phrase "paper lot lines" and noted that the property lines in this area are mostly identified by fences. With the current setbacks provided in the update, issues would arise with the neighbors. Mr. Wrocklage questioned the rear yard setback proposed for the new lot, which would be 6.4 feet. Mr. Swindell was concerned the owner would not give the appropriate property to the respective dwellings. Mr. Prince noted that the applicant discussed at the last meeting the property has not been renovated recently. However, he questioned if the demolition was not an option because he received notice that the house was recently renovated.

On a motion to open to the public by Mr. Wrocklage, seconded by Mr. Raimann, with all present in favor the above application was open for discussion.

Hearing no one wishing to be heard a motion to close to the public was entertained.

On a motion to close to the public by Mr. Martin, seconded by Mr. Wrocklage, with all present in favor the above application was dismissed.

On a motion to deny the minor subdivision application at 744 Ocean Avenue by Mr. Wrocklage, seconded by Mr. Abramski, with all in favor, the application was denied.

Abstain: Michael Mandica

After the decision was made, the applicant's attorney wanted to add a few more comments he was not able to discuss. He emphasized the absence of any negative detriment to the neighborhood. Mr. Wrocklage noted no financial costs were provided as asked for at the previous hearing date.

B. Leo Manfredi & Samantha McLaughlin – Bulk Variance Application – 1317 Ocean Avenue – Block 9.10 Lot 7

The applicants' attorney, Brayndi Grassi from the law office of Peter Lofreddo present the bulk variance application for block 9.10 lot 7, also known as 1317 Ocean Avenue. The undersized lot consists of 4,000 square feet and is located within the R-B Zone. She emphasized that the buy-sell letters were distributed, and only received one response. The owners of 1321 Neptune Avenue discussed that they may be interested in purchasing the property, only if the application does not go as planned. Ms. Grassi introduced the applicant's engineer, Mr. Robert Herington has been an engineer for 37 years and comes from East Coast Engineering. He noted the proposed development is situated between Pine Street and Spruce Street, where most of the neighborhood is already developed. The proposal requests relief for the lot area, lot width, side yard setback, the combined side yard setback, the rear yard setback, maximum lot coverage, and the minimum distance between buildings. The proposal shows the existence of four drywells at each corner of the property with the stormwater runoff towards the street. The permeability testing as well as the soil borings will be provided once completed. He has good faith that will be up to par, and if not, it will be removed and constructed up to standards. The proposed plans show a one-story dwelling with two off-street parking spaces (driveway and garage). The requested variance is classified a C-1 Variance as there is an uncontrollable hardship with the lot being undersized. Mr. Herington supported that construction on this property would cause no substantial detriment to the zoning plan. The Land Use Board Chairman, Mr. Prince requested an additional five feet of stone from the property line to ensure additional parking was available. As the applicant and their professionals agreed, no further comment was given.

On a motion to open to the public by Mr. Wrocklage, seconded by Mr. Abramski, with all present in favor the above application was open for discussion.

Hearing no one wishing to be heard a motion to close to the public was entertained.

On a motion to close to the public by Mr. Wrocklage, seconded by Mr. Martin, with all present in favor the above application was dismissed.

On a motion to approve the bulk variance application at 1317 Ocean Avenue by Mr. Abramski, seconded by Mr. Wrocklage, with all in favor, the application was approved.

BUSINESS OF THE BOARD:

Mr. Thomas Abramski, JR addressed the Land Use Board for an alteration on his original site plan approval. The previously approved plan showed a generator at the back of the building, whereas two generators towards the front of the property was proposed. Mr. Prince noted the best spot for any generator is usually closest to the meter. He suggested a fence, compliant with the current zoning ordinances, and added shrubbery around the two generators.

On a motion by Mr. Swindell, seconded by Mr. Prince, the administrative approval was granted to update the preliminary and final major site plan for Mr. Thomas Abramski.

Abstain: Tom Abramski

BILL LIST:

On a motion by Mr. Swindell seconded by Mr. Martin, with everyone present in favor the Bill's List in the amount of \$652.50 was approved.

APPROVAL OF MINUTES:

On a motion by Mr. Wrocklage, seconded by Mr. Prince, with everyone present in favor the Minutes from the October 24, 2022 meeting were approved.

OPEN TO PUBLIC:

On a motion by Mr. Wrocklage, seconded by Mr. Abramski, with everyone present in favor the meeting was opened for public comment.

Hearing no one wishing to be heard a motion to close to the public was entertained.

CLOSE TO PUBLIC:

On a motion by Mr. Wrocklage, seconded by Mr. Abramski, with everyone present in favor the public comment portion of the meeting was closed.

On a motion by Mr. Wrocklage, seconded by Mr. Martin, with everyone present in favor the meeting was adjourned at 8:03 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman