

November 8, 2021

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 7:03 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, The Star Ledger, and to the Borough website on Friday, December 18, 2020 and Tuesday, January 5, 2021.

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: Councilman Cairns, Randy Martin, Tom Prince, Paul Swindell, TJ Wrocklage

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

Absent: John Hess from CME Associates, Tom Abramski, Michael Mandica, David Raimann, Mayor Roma

Alternates: Vacant

Before the meeting began, Mr. Prince congratulated Councilman Cairns on his re-election.

BUSINESS OF THE BOARD: Casa Nova Today LLC – Resolution #2019-53A – Letter to the Board

The Land Use Board addressed the letter from Casa Nova Today's attorney, Mr. Adam Pfeffer. The owner of 200 Atlantic City Boulevard hopes to adjust the originally approved hours of operations from 8am to 5pm to 7am to 10pm. Many of the board members questioned the drastic change of hours. Mr. Tom Prince noted that his request of downlights on the back of the building have still not been added. He also stated that no other businesses were open this late here before. Councilman Cairns spoke in favor of the extended hours noting that 10pm is not unreasonable, as long as the deliveries and trash pick-up were kept between 8am and 5pm. Mr. Swindell expressed his concerns as the letter does not ask to extend the hours, but that the applicant agrees with the new times, even though it was not officially discussed through the Borough. As per the last correspondence with the applicant and his attorney, Mr. Wrocklage questioned the letter received because the members of the board were waiting for him to return with more concrete examples of extended hours for the prospective tenants.

On a motion by Mr. Martin, seconded Mr. Wrocklage, with everyone present in favor the business hours shall be 7am to 9pm with delivery and garbage pick-up between 8am to 5pm.
On a motion by Mr. Prince, seconded by Wrocklage, with everyone present in favor the resolution shall be amended to reflect the updated business hours of 7am to 9pm and delivery hours of 8am to 5pm.

RESOLUTION #2021-17:

**RESOLUTION OF THE LAND USE BOARD OF
THE BOROUGH OF BEACHWOOD, COUNTY OF
OCEAN, STATE OF NEW JERSEY,
MEMORIALIZING THE GRANT OF A VARIANCE
APPLICATION FOR PROPERTY KNOWN AS
BLOCK 9.28, LOT 3, A/K/A 1241 LONGBOAT
AVENUE, BOROUGH OF BEACHWOOD, NEW
JERSEY**

On a motion by Mr. Swindell, seconded by Mr. Wrocklage, with everyone present in favor Resolution #2021-17 was approved.
ABSTAIN: Councilman Cairns

BILL LIST:

On a motion by Councilman Cairns seconded by Mr. Martin, with everyone present in favor the Bill's List in the amount of \$2,713.30 was approved.

APPROVAL OF MINUTES:

On a motion by Mr. Swindell, seconded by Mr. Wrocklage, with everyone present in favor the Minutes from the September 13, 2021 meeting were approved.

OPEN TO PUBLIC:

On a motion by Mr. Wrocklage, seconded by Mr. Martin, 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 Councilman Cairns, seconded by Mr. Wrocklage, 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 7:38 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman