

January 24, 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 7:02 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 Prince, Michael Mandica, David Raimann, Randy Martin, 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: Tom Abramski, Councilman Cairns, Mayor Roma, Paul Swindell

Alternates: Vacant

APPLICATION:

a. William and Ashleigh Britton – Bulk Variance Application – 753 Cranberry Road – Block 5.09 Lot 1.01

The homeowners of block 5.09 lot 1.01, also known as 753 Cranberry Road, presented a bulk variance application. William and Ashleigh Britton proposed a direct replacement of their four foot fence with a six foot vinyl solid fence. John Hess, Land Use Board engineer, noted the submission of signed and sealed surveys to him and the board members. The survey showed the fence to be installed within the property line. Per the Borough's ordinances, a corner property may have a six foot fence 20 feet from the property line and cannot exceed the principal structure. The chairman of the Land Use Board, Tom Prince, noted the existing fence to be no more than two feet off the pavement as well as the existing shed not within the zoning requirement. Mr. Wrocklage commented from personal experience, as he is a corner property as well, dealing with a four foot chain link fence. The board mentioned their concerns regarding snow removal. If a plow were to unintentionally hit the fence, it would be the homeowners' responsibility to fix it. Mr. Prince also revealed the existence of trees within the existing fence, which create privacy. Mrs. Britton emphasized the importance of safety and security for the kids in and out of their yard because of the pool. Mr. Hess explained the easement line is six feet back from the street. Mr. Prince suggested allowing the six foot fence six feet back from the property line. The homeowners of 753 Cranberry Road were unhappy with that compromise. In order to give the board members opportunity to look at the property and Mr. and Mrs. Britton

time to discuss negotiations, this application was tabled to the next Land Use Board meeting on Monday, February 14th.

On a motion to open to the public by Mr. Wrocklage, seconded by Mr. Prince, 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 carry this application to the next Land Use Board meeting on February 14, 2022 approve by Mr. Wrocklage, seconded by Mr. Raimann, with all in favor the application will be continued at the next meeting.

b. RLK Homes/Ross Paradise – Bulk Variance Application – 744 Anchor Avenue – Block 3.19 Lot 13

Mr. Peter Lofreddo represented the applicant, Mr. Ross Paradise of 917 Mizzen Avenue, regarding the bulk variance application for block 3.19 lot 13. 744 Anchor Avenue is an undersized, 40 foot by 100 foot lot, whereas 8,000 square feet is required. The applicant sought relief for the side setbacks, rear yard setback, and the maximum lot coverage. Mr. John W. Lord, the applicant's engineer, provided Exhibit A-1 (photo board of houses in the neighborhood), and explained Exhibit A-2 (buy-sell letters to adjoining property owners). The applicant agreed to comply with the terms and conditions of the CME Associates review letter dated January 3, 2022 including the submission of soil borings, a permeability test and drainage calculations. The applicant agreed to provide an additional gravel parking space in the front of the dwelling, 7 feet from the edge of paving. The applicant is restricted to what is shown on the Plot Plan and must come back before the Board if the foot print of the impervious coverage is to be expanded. The air conditioning condenser will be installed in the rear of the property. The applicant testified that there would be no plans for proposed living space in the basement and "No egress" windows would be installed in the basement. The sliding door and landing shown on the plans will be replaced with a pair of double pane windows and an exit door from the garage will be installed. A motion to approve the application was made subject to the conditions listed above.

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

On a motion to approve the bulk variance application with the conditions discussed by Mr. Wrocklage, seconded by Mr. Raimann, with all in favor the application was approved.

BUSINESS OF THE BOARD: The 2021 Zoning Board annual report was approved by the board members present.

RESOLUTION #2021-18:

RESOLUTION OF THE LAND USE BOARD OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, MEMORIALIZING THE BOARD'S PRELIMINARY AND FINAL MAJOR SITE PLAN, USE VARIANCE AND DESIGN WAIVER APPROVAL AS IT RELATES TO THE APPLICATION OF ABRAMSKI PROPERTIES, LLC FOR PROPERTY KNOWN

APPROVAL OF MINUTES:

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

Abstain: Councilman Cairns, Paul Swindell

OPEN TO PUBLIC:

On a motion by Mr. Wrocklage, seconded by Mr. Swindell, 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. Raimann, 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 8:07 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman