

February 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 Prince, Councilman Cairns, Michael Mandica, Randy Martin, Paul Swindell, 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, David Raimann, Mayor Roma

Alternates: Vacant

RESOLUTION #2022-09:

**RESOLUTION OF THE LAND USE BOARD OF THE
BOROUGH OF BEACHWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, MEMORIALIZING THE GRANT
OF VARIANCE APPLICATION FOR PROPERTY KNOWN
AS BLOCK 3.19, LOT 13 A/K/A 744 ANCHOR AVENUE
BOROUGH OF BEACHWOOD, NEW JERSEY**

On a motion by Mr. Martin, seconded by Mr. Wrocklage, with everyone present in favor Resolution #2022-09 was approved.

ABSTAIN: Councilman Cairns, Paul Swindell

Paul Swindell confirmed he listened to the recording from the previous Land Use Board meeting on Monday, January 24th to be eligible to vote on the application's continuation.

APPLICATION: William and Ashleigh Britton – Bulk Variance Application – 753 Cranberry Road – Block 5.09 Lot 1.01

Ashleigh and William Britton represented themselves as the owners of 753 Cranberry Road. On Monday, January 24th they addressed the Land Use Board with hopes of replacing their current four foot 50% open fence with a six foot solid vinyl fence. In hopes of compromising, the Board and applicants had agreed to continue this application at the next meeting date. Mrs. Britton identified corner properties with a six foot solid fence in the same location her and her husband were hoping to install theirs. The pictures were marked as Exhibit A1. The Chairman of the Board, Mr. Tom Prince, noted the special circumstances that these fences may have been built on. Many of those fences were not directly on the property line. Some were grandfathered in due to their existence prior to zoning requirements. Others may have unfortunately been put up illegally. Mr. Prince emphasized the reasoning why the fence shall be four foot 50% open on a corner property: safety. Mr. Prince noted his own personal experience being a corner property. He also applied for a variance, and agreed to move his six foot fence ten feet back. He reiterated his suggestion of compromise for the Britton's which would move the fence six feet back to the easement line. Mr. and Mrs. Britton were unhappy with the idea. They restated the safety and security a six foot fence would bring. They emphasized the location of their property on a dead end, low traffic area. Ashleigh Britton questioned why all of the properties on Exhibit A1 were allowed to situate their six foot fence as a corner property, but she was not. Paul Swindell noted that each board member is trained to treat each application as a standalone case. Tom Prince emphasized their duty to do what they believe will be best for the Borough. Compromise will most definitely be the answer. TJ Wrocklage voiced his personal experience with being a corner property. Through the reading of the survey, it was found that the property line was about one and a half feet from the pavement. Five to six feet from the pavement would most likely position the fence on the other side of the trees currently on the Britton's property.

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

The Chairman restated his compromise to move the fence five feet from the property line along Maple Street, and voiced his objection to the entire application if no compromise could be made. Because Mrs. Britton still seemed unhappy with the settlement, Mr. Prince suggested a five minute recess to give the property owners time to discuss.

On a motion by Mr. Wrocklage, seconded by Mr. Martin, with all present in favor, a brief five minute recess was taken.

On a motion by Mr. Wrocklage, seconded by Mr. Martin, with all present in favor, the meeting was re-opened.

The Board's Engineer, Mr. John Hess, noted any approval should be made from the property line. The application was approved subject to the condition that the vinyl fence will be at least five feet from the Maple Avenue property line.

On a motion by Mr. Prince to approve the application with the conditions made by the Board, seconded by Mr. Swindell, the variance application was approved.

Approved: Tom Prince, Michael Mandica, Randy Martin, Paul Swindell

Denied: TJ Wrocklage

Abstain: Councilman Cairns

BILL LIST:

On a motion by Councilman Cairns seconded by Mr. Wrocklage, with everyone present in favor the Bill's List in the amount of \$4,349.35 was approved.

**AS BLOCK 5.51, LOT 1, BOROUGH OF BEACHWOOD,
NEW JERSEY**

On a motion by Mr. Martin, seconded by Mr. Wrocklage, with everyone present in favor Resolution #2021-18 was approved.

ABSTAIN: Tom Prince, David Raimann

RESOLUTION A#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. Wrocklage, seconded by Mr. Martin, with everyone present in favor Resolution A #2021-17 was approved.

BILL LIST:

On a motion by Mr. Raimann seconded by Mr. Wrocklage, with everyone present in favor the Bill's List in the amount of \$2,624.90 was approved.

APPROVAL OF MINUTES:

On a motion by Mr. Martin, seconded by Mr. Wrocklage, with everyone present in favor the Minutes from the January 10, 2022 meeting were approved.

OPEN TO PUBLIC:

On a motion by Mr. Wrocklage, seconded by Mr. Raimann, 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 8:06 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman