

July 12, 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 7:00 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, 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: Tom Abramski, Randy Martin, Tom Prince, Paul Swindell, TJ Wrocklage

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

Absent: Councilman Cairns, Michael Mandica, David Raimann, Mayor Roma

Alternates: Vacant

APPLICATION: Walter Schacht 700 Halliard Avenue – Block 3.08 Lot 6

Ralph Polcari, Mr. Walter Schacht's attorney, introduced Jason Marciano as the applicant's engineer. The team proposed a minor subdivision of block 3.08 lot 6, also known as 700 Halliard Avenue. They aim to separate one lot from Ensign Avenue and the other from Halliard Avenue. The lot is 80 feet wide and 200 feet deep. Two eighty by one hundred lots consisting of 8,000 square feet will exist with the approval of this variance. The existing structure is proposed to remain standing. The new lot will most likely front Ensign Avenue and conform to all of the Borough's standards and ordinances. The structure that is proposed to remain also has a detached garage. The new lot will possess three nonconformities, all of which are existing conditions not impacted by this subdivision and not blatantly visible to the naked eye. For example, the rear of the garage will have a 2.4 rear setback, whereas 5 feet is required. Mr. Polcari went on to ask Mr. Marciano if he was familiar with Beachwood's positive criteria. He insisted that the new structure as well as the existing property provides an adequate air lot and wooden space. Mr. Polcari then reviewed the negative criteria, and asked the engineer if he believed this variance fell into that category. Mr. Marciano noted this variance relief can be granted without detriment to Beachwood. The Land Use Board's Chairman, Tom Prince, went on to question the detached garage. He recommended that the garage structure be reinforced, and not increase in size or height if resulting in replacement. Furthermore, Mr. Prince asked about the condition of the current driveway. Mr. Marciano insisted it was in good condition, paved in white stone with

no major puddling despite the heavy rains the past week. Lastly, Mr. Prince asked John Hess, the Board's Engineer, to assure that the review of the current grading system was sufficient and will not lead to excess runoff. John Hess confirmed all comments he and his firm addressed in his review letter dated May 21, 2021 were addressed.

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.

The homeowner of 724 Ensign Avenue, Andrew Morrissey, wished to ask the Land Use Board if this lot could be further subdivided if/when this application was approved. Mr. Ulaky, the Land Use Board's attorney, answered with a no because it would then create a self-made hardship. Mr. Dale Olander, the owner of 716 Ensign Avenue, was concerned about the new lot being within the Borough's standards and setbacks. Mr. Ulaky again assured that the new lot has to be conforming to all zoning ordinances because no variance relief is being granted to the new vacant lot. Another homeowner within 200 feet of this subdivision, Carol Musumeci, wished to speak to the Land Use Board about her concerns when approving this minor subdivision. She questioned the type of house to be built on the vacant property, and expressed her concerns about a two-story dwelling overlooking into her backyard. The Land Use Board assured that the house must fit the character of the neighborhood, and be built within the building envelope. Mrs. Musumeci then asked if the new dwelling could be turned into a rental. Mr. Ulaky noted that decision is also up to the homeowner.

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 minor subdivision application by Mr. Wrocklage, seconded by Mr. Abramski, with all in favor the minor subdivision was approved.

RESOLUTIONS:

RESOLUTION #2021-12

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, BULK VARIANCE AND DESIGN WAIVER APPROVALS AS IT RELATES TO THE APPLICATION OF THOMAS ABRAMSKI FOR PROPERTY KNOWN AS BLOCK 5.56, LOTS 3 THROUGH 6 AND 8, BOROUGH OF BEACHWOOD, NEW JERSEY

On a motion by Mr. Wrocklage, seconded by Mr. Martin, with everyone present in favor Resolution #2021-12 was approved.

ABSTAIN: Tom Abramski

RESOLUTION #2021-13

RESOLUTION OF THE LAND USE BOARD OF THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, MEMORIALIZING THE ADOPTION OF THE REVISED STORMWATER MANAGEMENT PLAN AND STORMWATER POLLUTION PLAN AS AMENDMENTS TO THE MASTER PLAN OF

**THE BOROUGH OF BEACHWOOD, COUNTY OF OCEAN,
NEW JERSEY**

On a motion by Mr. Wrocklage, seconded by Mr. Swindell, with everyone present in favor Resolution #2021-13 was approved.

BILL LIST:

On a motion by Mr. Wrocklage, seconded by Mr. Abramski, with everyone present in favor the Bill's List in the amount of \$2,890.00 was approved.

APPROVAL OF MINUTES:

On a motion by Mr. Wrocklage, seconded by Mr. Martin, with everyone present in favor the Minutes from the June 28, 2021 meeting were approved.

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. Martin, 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. Abramski, with everyone present in favor the meeting was adjourned at 7:32 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman

THE STATE OF TEXAS,
COUNTY OF DALLAS.

I, the undersigned, a Notary Public in and for the State of Texas, do hereby certify that the within and foregoing is a true and correct copy of the original of the same as the same appears from the records of the County of Dallas, State of Texas.

Given under my hand and the seal of the County of Dallas, State of Texas, this 1st day of January, 1901.

Notary Public in and for the State of Texas.

My commission expires the 1st day of January, 1902.

Witness my hand and the seal of the County of Dallas, State of Texas, this 1st day of January, 1901.

Notary Public in and for the State of Texas.

[Signature]
Notary Public in and for the State of Texas.