

September 13, 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, Councilman Cairns, Michael Mandica, 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: David Raimann, Mayor Roma

Alternates: Vacant

Before the meeting began, Mr. Prince requested everyone present take a moment to acknowledge the 20th anniversary of September 11th.

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

Adam Pfeffer, Casa Nova Today LLC's Attorney, addressed the Land Use Board regarding a note made in Resolution #2019-53A. The resolution states the hours of operation will be "during normal business hours, approximately 8 a.m. to 5 p.m." Mr. Pfeffer had discussed the difficulties the prospect tenants, including a realtor, lobster roll restaurant, eyelash studio, and eyebrow salon, are experiencing because of this protocol. Members of the board, including Mr. Prince and Mr. Abramski, noted the abundance of points discussed during the hearings and addressed in this resolution that were not executed by the applicant or their builders. Mr. John Hess, the Land Use Board's Engineer, mentioned a comment on the site plan which states that there will be no food operations. Mr. Prince noted that times will be locked in from this point on as there will be no late night operations. Councilman Cairns pointed out that in hopes of eliminating neighbor disturbances, this was to be utilized as an office building as opposed to a retail unit. Mr. Wrocklage questioned the applicant's attorney with the hours proposed for each of these tenants. Mr. Pfeffer agreed

to have the owner of 200 Atlantic City Boulevard discuss the hours each tenant is requesting, and will address the board when a more concrete example of time extension is provided.

Councilman Cairns excused himself from the following application.

APPLICATION: Eagles Point Holdings LLC 1241 Longboat Avenue – Block 9.28 Lot 3 – Variance

Harvey York, Eagles Point Holdings LLC attorney, presented the variance application for block 9.28 lot 3, also known as 1241 Longboat Avenue. Due to the size of the lot, a variance is required to build. The applicant's engineer, Matt Hockenbury, was introduced to the board. He explained the required minimum lot area is 8,000 square feet, whereas 4,000 is proposed and the lot width required is 80 feet, whereas 40 is proposed. Additionally, the side yard setbacks and minimum distance between buildings are lacking. The lot is compliant in building height and lot coverage. The applicant proposed a 3 bed, 2 bath, two-story single family dwelling with a 4'x4' covered porch with stairs. This dwelling was modeled similarly to the previous construction done by the applicant on Ship Avenue. The first floor was purposely sunk to provide adequate air and light space. The Engineer confirmed that this property would be consistent with the neighborhood scheme, and there would be no detriment to the surrounding areas. The applicant submitted A-1 Buy-Sell Letters to the adjoining owners to which the applicant's attorney received no response, A-2 Plot Plan, and A-3 Architectural Plans. Mr. Prince noted the inadequate storage space available with no garage on the plans. Additionally, the recharge systems were to be originally directed to the front of the house on Longboat Avenue. After conferring with Mr. Wrocklage, Mr. Prince noted the entire recharge system needed to be moved to the back of the house to eliminate flooding. Mr. Hockenbury went on to clarify that there would be all stone, no green, in the front of the house. Mr. Abramski questioned the egress window height from the bottom of the window. He recommended bringing the siding of the window down to match the neighborhood. The board proposed moving the siding down to three feet while the rest is decorative stone. Mr. Swindell recommended constructing the house on a slab or crawl space to be able to move the windows up. Mr. Hockenbury stated that the siding of the windows would be somewhere between six inches and two feet. After collaborating with the applicant, Mr. York confirmed the following: The applicant agreed to soften the appearance of the concrete foundation wall by bringing down the siding along the entire perimeter of the dwelling to permit only six inches of exposed concrete foundation. The applicant agreed to provide soil borings and permeability test to be submitted for the review and approval of the Board Engineer. The applicant agreed to redesign the drainage to direct stormwater toward the rear of the property and not the front of the property to prevent stormwater flowing into Longboat Avenue. The applicant agreed to comply with the lot coverage requirements for construction of any deck and/or shed on the property.

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 closed to the public.

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

Councilman Cairns rejoined the meeting.

RESOLUTION #2021-15:

**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 5.27, LOT 3, A/K/A 1041 HALLIARD AVENUE,
BOROUGH OF BEACHWOOD, NEW JERSEY**

On a motion by Mr. Wrocklage, seconded by Mr. Swindell, with everyone present in favor Resolution #2021-15 was approved.
ABSTAIN: Councilman Cairns

RESOLUTION #2021-16:

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 10.19, LOT 3, A/K/A 937 MIZZEN AVENUE,
BOROUGH OF BEACHWOOD, NEW JERSEY

On a motion by Mr. Wrocklage, seconded by Mr. Swindell, with everyone present in favor Resolution #2021-16 was approved.
ABSTAIN: Councilman Cairns

BILL LIST:

On a motion by Mr. Swindell, seconded by Mr. Wrocklage, with everyone present in favor the Bill's List in the amount of \$2,153.15 was approved.

APPROVAL OF MINUTES:

On a motion by Mr. Swindell, seconded by Mr. Wrocklage, with everyone present in favor the Minutes from the August 9, 2021 meeting were approved.
ABSTAIN: Councilman Cairns

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. Martin, with everyone present in favor the meeting was adjourned at 8:09 pm.

Respectfully Submitted


Gabrielle Napolitano, Board Secretary


Tom Prince, Chairman

