



February 27, 2017

Land Use Board Minutes
Beachwood Municipal Complex
1600 Pinewald Road

7:00PM



FLAG SALUTE:

CALL TO ORDER:

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 Beachwood Land Use Board is listed in the Municipal Complex Building and delivered to the Asbury Park Press on December 27, 2016.

ROLL CALL MEMBERS PRESENT:

Tom Abramski, Ray DiBernardo, Councilman Cairns, Randy Martin, Tom Prince, David Raimann, Cliff Schiel, Paul Swindell

Alternates:

Absent: Mayor Roma

APPLICATION: COURTESY REVIEW

Beachwood Little League – President Eric Diaz
501 Beacon Ave
Block 4.20 Lot 1

Would like to reconfigure two of the fields to accommodate more teams to practice and play games at the complex.

Looking to move the fence on field 2, 25 feet from left field to right center. This will allow us to expand the fence of our t-ball field to 140 feet in centerfield and 135 in left and right field.

This will enable our pitching machine division to play on this field.

This will let us schedule more teams to play games at the same time and make room for teams to practice at the complex more and use less off field sites.

Mr. Eric Diaz, President of Beachwood Little League and representative spoke on behalf of the courtesy review.

Mr. Diaz discussed the reconfiguration of the fields with the board. The Board's biggest concern is that there will still be a walking path throughout the fields.

Mr. Diaz assured the board that the paths will be in place when the reconfiguration is complete.

This informal Courtesy Review was approved without Resolution.

APPLICATION:

Eric & Ann Cicerello
38 Locker St.
Block 2.42 lot 1
Bulk Variance

The applicant seeks variance relief as follows:

1. To permit construction of a pool, resulting in lot coverage of 54.4%, whereas maximum lot coverage is 30%.
2. To permit a six foot (6') high solid vinyl fence along a portion of the front property on Mermaid Avenue.

The applicant, Eric Cicerello, and Richard Rosa of Integrity Pools testified with regard to the proposed construction of the 16' x 32' inground pool and the 6' solid vinyl fence which is to be installed for safety and privacy purposes. The applicant agreed to move the 6' vinyl fence five (5') feet in from the property line along Mermaid Avenue. The applicant testified that the lot coverage variance is required as the existing house and shed are already at the permitted 30% maximum lot coverage. The applicant and Mr. Rosa further testified that they will comply with the Borough pool fence requirements.

The public portion of the hearing was lawfully conducted.

Based upon the above testimony and the evidence received during the public hearing, a motion to approve the application was made, subject to the conditions that the applicant comply with all representations placed on the record and with the submittal and subject to the applicant complying with the provisions of the Board Engineer's letter dated January 23, 2017.

The application was further approved subject to the condition that the vinyl fence will be five (5') feet in from the Mermaid Avenue property line, the applicant will be responsible for restoration of any improvements in the public right-of-way that are disturbed during construction, the applicant will install drains between the pool and house to channel stormwater toward Mermaid Avenue and the applicant will insure that the roof leaders will direct stormwater toward the front and side yards of the property.

RESOLUTION 2017-11 Approve 38 Locker St. Eric & Ann Cicerello Block 2.42 Lot 1, Bulk Variance for inground pool, 6' solid fence and lot coverage with conditions as stated above.

Motion: Councilman Cairns

Second: Schiel

Approve: Abramski, DiBarnardo, Councilman Cairns, Martin, Prince, Raimann, Schiel, Swindell

Oppose:

Abstain:

APPLICATION:

Julie Doherty
259 Compass Ave
Block 4.42 Lot 1
Bulk Variance

The applicant seeks use variance approval to construct a two-family residential dwelling. The subject property consists of Lot 1 within Block 4.42, located along Compass Avenue adjacent to the Municipal Marina and lies within the RB Zone District. The existing lot is developed and contains a two-family residential dwelling which has been damaged by Superstorm Sandy. The lot is triangular in shape and provides frontage along Compass Avenue, Beachwood Boulevard and the Municipal Marina/Toms River. The lot is undersized for the RB Zoning District. The applicant proposes to construct a new two-family dwelling within the footprint of the existing structure.

A use variance is required for the proposed two-family dwelling which is not permitted as a principal or conditional use in the RB Zoning District.

The applicant requires the following bulk variances:

1. Minimum lot size, 8,000 s.f. required whereas 2,900 s.f. is provided;
2. Minimum lot width, 80 ft. is required whereas 68 ft. is provided;
3. Minimum lot depth, 100 ft. is required whereas 30 ft. is provided;
4. A maximum lot coverage of 30% is permitted whereas 48% is provided;
5. Minimum front yard setback, 20 ft. is required whereas 2 ft. is proposed along Compass and 2 ft. is proposed along Beachwood;

- The applicant submitted the survey, plot plan, architectural drawings and other documents as itemized in the review letter of the Board Engineer, T and M, dated January 25, 2017. In addition, the applicant submitted a series of three (3) color photographs of the proposed two-family dwelling, marked as "A-1

The Board opened the meeting to the public and comment was received from several residents in the neighborhood, some of whom supported the application stating that it would be an improvement to the neighborhood whereas other residents stated their opposition to the proposed two-family dwelling on the grounds that it is inappropriate for the neighborhood.

RESOLUTION 2017-12 Deny Use Variance for a two family dwelling at 259 Compass Ave, Julie Doherty Block 2.42 Lot 1.

Based on the testimony and evidence received during the public hearing, a motion to approve the applicant's request for bulk variances was made and the Board voted to approve the applicant's requested variances. In approving the applicant's request for the granting of the bulk variances, the Board found that granting of these variances can be made without substantial detriment to the public good and that the granting of the variances will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

RESOLUTION 2017-13 Approve Bulk Variances for a single family dwelling at 259 Compass Ave, Julie Doherty Block 2.42 Lot 1, with conditions as stated above.

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Abstain:

Abstain:

(The Chairman reviewed the correspondence)

Abstain:

Abstain:

Abstain:

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