

Bradley Beach Land Use Board
701 Main Street
Bradley Beach, NJ 07720
732-776-2999 Ext. 1017
Regular Meeting Agenda
Thursday, May 19, 2022 at 6:30 PM

This Regular Meeting of the Land Use Board will be taking place in person in the Meeting Room located at 701 Main Street, Borough of Bradley Beach and will commence at 6:30 PM.

This Regular Meeting of the Bradley Beach Land Use Board is now called to order.

I. Pledge of Allegiance

At this time we kindly ask that everyone please silence all cell phones and other paging devices as they are distracting to others.

II. Open Public Meetings Act:

The 48-hour notice, as required under the Open Public Meetings Act, has been met as notice of this meeting was emailed on April 5, 2022 and published in the Asbury Park Press, The Coast Star, and the Coaster, a copy has been placed on the bulletin board in the Borough Office, and a copy has been filed with the Borough Clerk.

III. Roll Call:

Larry Fox, Mayor
Paul Murphy, Code Officer
Timothy Sexsmith, Councilman
JohnEric Advento

~~Arianna Bocco~~ - **EXCUSED**
David Critelli, Vice Chair
Meredith DeMarco
Kelly Reilly-Ierardi

Dennis Mayer, Chair
Robert Mehnert
William Psiuk
Harvey Rosenberg
Lauren Saracene

Also Present: Mark Kitrick, Esq. – Board Attorney
Gerald Freda, PE, PP – Board Engineer
Christine Bell, PP, AICP – Board Planner

IV. Chair Mayer to advise the public regarding meeting policies and procedures.

V. Correspondence: None.

VI. Approval and Adoption of Meeting Minutes from the Regular Meeting of April 21, 2022

Motion offered by _____ to be moved and seconded by _____

Mayor Larry Fox **N/A**

Paul Murphy _____

Councilman Timothy Sexsmith **N/A**

Meredith DeMarco _____

Kelly Reilly-Ierardi **N/A**

Robert Mehnert **N/A**

Lauren Saracene **N/A**

David Critelli **N/A**

Dennis Mayer _____

Harvey Rosenberg (Alt. 1) _____

William Psiuk (Alt. 2) _____

Arianna Bocco (Alt. 3) **N/A**

JohnEric Advento (Alt. 4) **N/A**

VII. Resolutions to be memorialized:

- a. **Resolution 2022-07** – (Approval of Bulk Variance for Fence Height on Corner Lot) – Kathryn McClave – Block 84, Lot 1 – 517 Monmouth Avenue

Those Eligible: Paul Murphy, Timothy Sexsmith, Meredith DeMarco, Robert mehnert, Harvey Rosenberg, William Psiuk, and Dennis Mayer

VIII. Consistency Determination:

- a. **Ordinance No. 2022-04** of the Borough of Bradley Beach Amending Chapter 450: “Zoning” of the Borough’s Revised General Ordinances to Permit the Borough’s Zoning Officer to Require the Submission of As-Built Surveys for Certain Compliance Inspections, introduced at the Borough Council meeting on May 10, 2022.

IX. Applications under consideration for this evening:

- a. **LUB22/04 – (Appeal of Zoning Officer’s Determination and in the Alternative a Use Variance) – Odette Mendes – Block 57, Lot 9 – 609 Fifth Avenue** - Applicant is seeking an appeal of the Zoning Officer’s Determination that a Use Variance is required for the proposed improvements to reduce the number of units in this existing 3-family home to a 2-family home as well as reduce the number of kitchens from 3- to 2-kitchens. Multi-family dwellings are not a permitted use in the zone. Should the Board determine a Use Variance is necessary, applicant wishes to seek a Use Variance for the proposed improvements. Applicant is represented by Michael J. Wenning, Esq.
- b. **LUB22/05 – (Demolish Existing Single Family Dwelling and Construction New Single Family Dwelling requiring Various Bulk Variances) – James & Jennifer Morrison – Block 23, Lot 14 – 905 Central Avenue** – Applicant proposes to demolish the existing dwelling in its entirety and construct a new 2 ½ story single-family dwelling with associated driveway and rear patio. The proposed improvements require variances with regard to side setback to patio, side setback to entry platform, side setback to the platform stairs, building coverage, impervious coverage, off-street parking, building height, number of stories, driveway apron width, and driveway length as this lot has existing non-conformities with regard to lot width and lot area. Applicant is represented by Michael J. Wenning, Esq.
- c. **LUB22/03 – (Use Variance & Minor Site Plan) – EMAM LAB, LLC – Block 71, Lot 30 – 110 Main Street** - Applicant was granted a d(2) use variance at the April 21, 2022 meeting; however, the Applicant is still required to return for further Minor Site Plan review and approval to renovate the interior and exterior of the existing building. Variances are required for proposed signage as the Ordinance states there shall be no more than 2 signs permitted per business establishment, or if more than one business occupies a structure, no more than 1 façade and 2 identification signs per storefront; whereas the Applicant is proposing 4 signs. The proposed signs need relief for size as well as projection. A variance is also required for the height of the proposed fencing. Applicant is represented by Michael J. Wenning, Esq.

X. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Thursday, June 16, 2022 at 6:30 PM** which will also take place here in the Municipal Complex Meeting Room located at 701 Main Street, Borough of Bradley Beach. Please check our website for any updates regarding meeting location and/or access.
- b. With no further business before the Board a motion to adjourn was offered by _____ to be moved and seconded by _____, meeting closed at _____ PM.

Enclosed: Board Planner's Memo (5/11/2022)
Copy of Proposed Ordinance 2022-04 (Introduced 5/10/2022)

[illegible]

If any board member cannot attend, please call or e-mail the Board Office at 732-776-2999 Ext. 1017 or kdickert@bradleybeachnj.gov

LUB22/04 – (Appeal of Zoning Officer’s Determination and in the Alternative a Use Variance) – Odette Mendes – Block 57, Lot 9 – 609 Fifth Avenue - Applicant is seeking an appeal of the Zoning Officer’s Determination that a Use Variance is required for the proposed improvements to reduce the number of units in this existing 3-family home to a 2-family home as well as reduce the number of kitchens from 3- to 2-kitchens. Multi-family dwellings are not a permitted use in the zone. Should the Board determine a Use Variance is necessary, applicant wishes to seek a Use Variance for the proposed improvements. Applicant is represented by Michael J. Wenning, Esq.

Enclosed: Wenning to Dickert Transmittal Letter (3/11/2022)
Application for Appeal and/or Use Variance (Rec'd 3/14/2022)
Denial of Zoning Permit (2/17/2022)
Zoning Permit Application (2/16/2022)
Certificate of Inspection & C of O for Sale (2018 & 2021)
Survey of Property (12/15/2021)
Architectural Plans (last revised 3/24/2022)

Correspondence: Board Engineer & Planner's Review Letter (4/27/2022)

BOARD NOTES:

[illegible]

Motion offered by _____ to be moved and seconded by _____

DeMarco _____ Mehnert **Recused** Murphy _____ Reilly-Ierardi _____ Saracene _____

Councilman Sexsmith **Recused** Mayor Fox _____ Critelli _____ Mayer _____

Alternates: Rosenberg (Alt. 1) _____ Psiuk (Alt. 2) _____ Bocco (Alt. 3) **Absent** Advento (Alt. 4) _____

Avenue – Applicant proposes to demolish the existing dwelling in its entirety and construct a new 2 ½ story single-family dwelling with associated driveway and rear patio. The proposed improvements require variances with regard to side setback to patio, side setback to entry platform, side setback to the platform stairs, building coverage, impervious coverage, off-street parking, building height, number of stories, driveway apron width, and driveway length as this lot has existing non-conformities with regard to lot width and lot area. Applicant is represented by Michael J. Wenning, Esq.

Enclosed: Wenning to Dickert Transmittal Letter (4/6/2022)
 Application for Variances (Rec'd 4/6/2022)
 Denial of Zoning Permit (11/15/2021)
 Boundary & Topo Survey of Property (9/20/2021)
 Plot Plan & Construction Details (2 sheets) (1/26/2022)
 Architectural Plans (3 sheets) (last revised 3/28/2022)

Correspondence: Board Engineer's Review Letter (4/27/2022)

BOARD NOTES:

[illegible]

Motion offered by _____ to be moved and seconded by _____

DeMarco _____ Mehnert **Recused** Murphy _____ Reilly-Ierardi _____ Saracene _____

Councilman Sexsmith **Recused** Mayor Fox _____ Critelli _____ Mayer _____

Alternates: Rosenberg (Alt. 1) _____ Psiuk (Alt. 2) _____ Bocco (Alt. 3) **Absent** Advento (Alt. 4) _____

- **Block 71, Lot 30 – 110 Main Street** - Applicant is appealing the Zoning Officer's determination that a d(2) use variance is required. If the Board determines a Use Variance is required the Applicant is seeking the Use Variance as well as Minor Site Plan approval to renovate the interior and exterior of the existing building. Variances are required for proposed signage as the Ordinance states there shall be no more than 2 signs permitted per business establishment, or if more than one business occupies a structure, no more than 1 façade and 2 identification signs per storefront; whereas the Applicant is proposing 4 signs. The proposed signs need relief for size as well as projection. A variance is also required for the height of the proposed fencing. Applicant is represented by Michael J. Wenning, Esq.

w/April 21, 2022 Agenda: Amended Application for Appeal/Development (Rec'd 3/31/2022)
Site Plan Application Checklist (Rec'd 4/7/2022)
Zoning Permit Denial (1/6/2022)
Draft Easement Agreement (drafted 12/15/2021)
Survey of Property (11/11/2018)
Architectural Plans (last revised 3/31/2022)

Prior Correspondence: Board Engineer's Review Letter (4/13/2022)

Current Correspondence: Fire Marshall's Site Plan Review Letter (5/12/2022)

BOARD NOTES:

[illegible]

Motion offered by _____ to be moved and seconded by _____

DeMarco _____ Mehnert **Recused** Murphy **Recused** Reilly-Ierardi _____ Saracene _____

Councilman Sexsmith **Recused** Mayor Fox **Recused** Critelli Mayer

Alternates: Rosenberg (Alt. 1) _____ Psiuk (Alt. 2) _____ Bocco (Alt. 3) **Absent** Advento (Alt. 4) _____