

**Bradley Beach Land Use Board
Regular Meeting Minutes
Meeting Held in Person at 701 Main Street
Thursday, March 16, 2023 @ 6:30 PM**

Regular Meeting is called to order at 6:30 PM.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Paul Murphy, Councilwoman Meredith DeMarco, Liz Hernandez, Kelly Reilly-Ierardi, Robert Mehnert, William Psiuk, Lauren Saracene, Deborah Bruynell, Harvey Rosenberg, and Dennis Mayer

Absent: Mayor Larry Fox, Arianna Bocco, and JohnEric Advento

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

Chair Mayer advises the public regarding the Board's policies and procedures and how the meeting will proceed.

Land Use Board Planning Discussion Items:

Paul Murphy suggests that half-story, habitable attic, and third floor are three terms we should send to the Construction Official to have our definitions coincide with each other. Currently we only have a definition for half-story. Christine Bell indicates that it cannot exceed 50% of the floor below it. Jerry Freda indicates the building code only measures from areas with a 7-foot ceiling height and they are only allowed 33% of the floor below it. It is agreed to send to Construction Official for review and then possibly make recommendation to Council.

Approval and Adoption of Meeting Minutes from the Regular Meeting of February 16, 2023 –

Motion to approve and adopt offered by Chair Dennis Mayer, Seconded by Robert Mehnert. All eligible members present in favor.

Resolutions Memorialized: None.

Applications Considered:

LUB22/21 – (Bulk Variances for Demolition of Existing Dwelling and Construction of a New 2 ½ Story Dwelling on Undersized Lot) – Paul Alonzo – Block 14, Lot 9 – 121 Newark Avenue - Applicant seeking bulk variance relief to remove the existing dwelling in its entirety and construct a new 2 ½ story dwelling requiring variances for front yard setback to porch, upper porch, and dwelling; side yard setback, rear yard setback, building coverage, impervious coverage, and for the proposed ½ story.

****PLANS WERE NOT REVISED AND SUBMITTED WITHIN THE REQUIRED 10-DAY PERIOD PRIOR TO THIS HEARING DATE; THEREFORE, THIS MATTER WILL NOT BE HEARD AND MUST BE CARRIED TO OUR NEXT AVAILABLE MEETING DATED IN ORDER FOR THE PLANS TO BE PREPARED AND SUBMITTED FOR FURTHER REVIEW – A REQUEST TO CARRY TO MAY 18TH WITHOUT FURTHER NOTICE WAS RECEIVED FROM JEFFREY P. BEEKMAN, ESQ. AND AGREED TO BY THE BOARD****

LUB23/04 – (Bulk Variances for Proposed Front Porches & Balcony) – Tamblyn & Vito Abrusci – 316 ½ McCabe Avenue – The Applicant is seeking bulk variance relief for proposed 2nd floor covered porch and a third floor upper porch. Variance relief is necessary for the upper porch location (3rd floor), covered porch, side yard setback to porches, building coverage, impervious coverage, and expansion of the pre-existing, non-conforming third floor.

Harvey Rosenberg indicates he received notice and lives within 200 feet of the subject property; therefore, he must recuse himself from this application.

Vito & Tamblyn Abrusci; Steven Carlidge, AIA; Gerald Freda, PE, PP; and Christine Bell, PP, AICP are all sworn in.

Mr. Abrusci explains the home was purchased in August of last year. They would like to add the front porch, living space, and enjoy the community. Neighboring homes have porches and they would like to look similar to the surrounding homes and would like to keep the home more symmetrical and they have intentions of not starting the work if approved until September after the summer months.

Jerry Freda asks if the house has gutters? It is indicated yes, it currently has gutters. Jerry suggests there are a lot of pavers. It is indicated the home was bought as is. Jerry suggests they may need to remove some of the pavers and maybe reduce some of the lot coverage.

Steven Carlidge, AIA – states he would like to recognize that this home is set back more than all of the other homes on the block. The average porch setback is approximately 9 feet and the average building setback is approximately 18 feet. This property is set back 25 feet 4 inches which is 8 feet more than the average setback.

The second floor of this home is the main living space. The applicants are proposing a porch roof .4 feet behind the front of the house to the east and 3” behind the house to the west. This will not extend past the houses on either side of this home. By bringing the porches out, it will help fit into the existing streetscape.

Jerry Freda's review report is discussed regarding the upper porch on the 3rd floor, the upper porch which is roofed [covered on 2nd floor and 3rd floor porch (uncovered)].

Exhibit A-1 – Photo packet of other structures on the street and this home taken by Steve Carlidge today – reviewed and described.

The issue of height by adding the 3rd floor porch and expanding the pre-existing/non-conforming 3rd floor as well as the expansion of the existing condition in the side yard is discussed.

As for drainage, the home will have gutters and leaders.

****BOARD MEMBER PAUL MURPHY IS EXCUSED AT 7:09 PM****

Building Coverage and Impervious Coverage are discussed. Jerry Freda indicates there is very little pervious area and asks if it is possible to take up some of the pavers. He also asks what is the surface below the deck? It is answered there is concrete below the deck. Jerry asks if the concrete can come up? Pavers and concrete areas are discussed and the owners indicate they want to remove the shed which will reduce the variance for building coverage as well as lot coverage.

The plans must be revised to show the A/C condensers, shower, and the shed must be labeled “to be removed”.

No public appeared to answer questions. Meeting opened for Public Comment

Harvey Rosenberg – 313 ½ Ocean Park Avenue – sworn in. Mr. Rosenberg indicates the original build did not require variances and this was designed with reverse living in order to help with the parking issue.

Based upon the testimony provided Dennis Mayer makes a motion to approve the application with the following conditions, moved and seconded by Lauren Saracene:

1. Shed is to be removed.
2. Reduce the impervious coverage not to exceed 61%
3. Gutters and leaders to be installed per the direction of the Board Engineer's review and recommendation.
4. Porch is to be reduced 6" N-S from front and 8" E-W each side.
5. Existing Condition variances are recognized.
6. Strip between curb and sidewalk must be grass.
7. Mechanicals and Shower will be shown on the revised plans.

Those in Favor: Robert Mehnert, Lauren Saracene, Liz Hernandez, Councilwoman Meredith DeMarco, William Psiuk, Deborah Bruynell, and Dennis Mayer

Those Absent: Paul Murphy (left early), Mayor Larry Fox, Arianna Bocco, and JohnEric Advento

Those Recused: Harvey Rosenberg

Those in Opposition: Kelly Reilly-Ierardi

Those Abstained: None.

Adjournment:

Next scheduled meeting will be our **Regular Meeting on Thursday, April 20, 2023 at 6:30 PM** which will also take place here in the Municipal Complex Meeting Room located at 701 Main Street in the Borough of Bradley Beach. Please check our website for any updates regarding meeting location and/or access.

With no further business before the Board a motion to adjourn was offered by Dennis Mayer moved and seconded by Councilwoman Meredith DeMarco. All in favor. Meeting closed at 7:53 PM.

Minutes submitted by Kristie Dickert, Board Secretary