

**Bradley Beach Land Use Board
701 Main Street
Bradley Beach, NJ 07720
732-776-2999 Ext. 1017
Regular Meeting Agenda
Thursday, May 18, 2023 at 6:30 PM**

This Regular Meeting of the Land Use Board will be taking place in person in the Borough Hall 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 January 26, 2023 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
Meredith DeMarco, Councilwoman
JohnEric Advento

Arianna Bocco
Liz Hernandez
Kelly Reilly-Ierardi
Dennis Mayer, Chair

Robert Mehnert
William Psiuk
Harvey Rosenberg, Vice Chair
Lauren Saracene
Deborah Bruynell

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

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

V. Land Use Board Planning Discussion Items:

VI. Correspondence: None.

VII. Approval and Adoption of Meeting Minutes from the Regular Meeting of April 20, 2023

Motion offered by _____ to be moved and seconded by _____

Mayor Larry Fox _____

Paul Murphy N/A

Councilwoman Meredith DeMarco N/A

Liz Hernandez _____

Kelly Reilly-Ierardi N/A

Robert Mehnert _____

Lauren Saracene N/A

Harvey Rosenberg _____

Dennis Mayer _____

William Psiuk (Alt. 1) _____

Deborah Bruynell (Alt. 2) _____

Arianna Bocco (Alt. 3) N/A

JohnEric Advento (Alt. 4) N/A

VIII. Resolutions to be memorialized:

- a. **Resolution 2023-09 – Denial of Bulk Variances for Proposed Living Space Above Existing Detached Garage Structure) – Ann Marie Kuder – Block 36, Lot 7 – 309 ½ McCabe Avenue**

Those Eligible: Robert Mehnert, Liz Hernandez, and Dennis Mayer

- b. **Resolution 2023-10 – Approval of Bulk Variances to Construct a Detached Garage Structure with a Bathroom & Covered Patio) – Abby Jordan – Block 68, Lot 9 – 302 Second Avenue**

Those Eligible: Robert Mehnert, Liz Hernandez, Mayor Larry Fox, William Psiuk, Deborah Bruynell, Harvey Rosenberg, and Dennis Mayer

- c. **Resolution 2023-11 – Approval of Bulk Variances for Proposed 2-story Addition at Rear of the Dwelling) – Gregory & Bella Smith – Block 21, Lot 14 – 506 Ocean Park Avenue**

Those Eligible: Robert Mehnert, Liz Hernandez, Mayor Larry Fox, William Psiuk, Deborah Bruynell, Harvey Rosenberg, and Dennis Mayer

IX. Requests for Extensions of Time:

- a. **ZB20/14 – (Request for 2-year Extension of Time) - Stacey Pelliccio-Caponegro – Block 56, Lot 15 – 510 Fourth Avenue** – Applicant is seeking a 2-year extension of variance approval. Original approval was granted by the Zoning Board of Adjustment per Resolution No. 2020-16 which was memorialized on December 17, 2020. Applicant received Resolution Compliance on December 21, 2020; however, due to the untimely passing of her late husband Frank Caponegro the permit/construction process never began and she should like the opportunity to revisit the project financially and emotionally when the time comes.

- b. **ZB21/06 – (Request for Extension of Time) – Thomas J. Coan – Block 58, Lot 10 – 401 Main Street** – Applicant is seeking an extension of original variance approval which was granted by the Zoning Board of Adjustment per Resolution No. 2021-16. Due to multiple negative impacts to the prior tenant's business they never installed the approved awnings. There is currently a new tenant who wishes to keep the option to add the awnings as their business establishes and grows; however, capital is a consideration in the awning installation at this time.

X. Applications under consideration for this evening:

- a. **LUB23/07 – (Bulk Variances for Construction of a Full 2nd Story + ½ Story Above) – Donald Reese – Block 73, Lot 7.02 – 107 Madison Avenue** – Applicant is seeking variances to permit the removal of the existing ½ story and construction of a new full 2nd story with ½ story above. Proposed improvements require variances for front and side yard setbacks as the property has an existing non-conformity in lot depth. *****CARRIED FROM APRIL 20, 2023 MEETING WITH NO FURTHER NOTICE BEING REQUIRED DUE TO TIME CONSTRAINTS*****

- b. **LUB23/08 – (Interpretation of Ordinance/Appeal of Zoning Officer's Determination and in the Alternative Bulk Variance Relief for the Construction of a New Single Family Home with Detached Garage on this Non-Conforming Lot) – Scott & Susan Schwartz – Block 10, Lot 25.02 – 208 ½ Newark Avenue** – Applicant is seeking an Interpretation of the Ordinance/Appeal of the Zoning Officer's Determination with regard to their Zoning Permit Denial for the proposed construction a new single family home with detached garage on this non-conforming lot. If the Board finds in favor of the Zoning Officer's Determination then the Applicant wishes to pursue any variance relief deemed necessary by the Board for their proposal. Applicant is represented by Michael J. Wenning, Esq.

- c. **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. Applicant is represented by Jeffrey P. Beekman, Esq. ****PARTIALLY HEARD ON FEBRUARY 23, 2023 AND CARRIED TO MARCH 16, 2023, REVISED PLANS WERE NOT REVISED AND SUBMITTED WITHIN THE REQUIRED 10-DAY PERIOD PRIOR TO HEARING; THEREFORE, THIS MATTER WAS CARRIED TO THIS MEETING DATE WITHOUT FURTHER NOTICE BEING REQUIRED TO ALLOW TIME FOR SUBMISSION AND REVIEW OF REVISED PLANS****

XI. Adjournment:

- a. Next scheduled meeting will be our **Regular Meeting on Thursday, June 15, 2023 at 6:30 PM** which will 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.

ZB20/14 – (Request for 2-year Extension of Time) - Stacey Pelliccio-Caponegro – Block 56, Lot 15 – 510 Fourth Avenue – Applicant is seeking a 2-year extension of variance approval. Original approval was granted by the Zoning Board of Adjustment per Resolution No. 2020-16 which was memorialized on December 17, 2020. Applicant received Resolution Compliance on December 21, 2020; however, due to the untimely passing of her late husband Frank Caponegro the permit/construction process never began and she should like the opportunity to revisit the project financially and emotionally when the time comes.

Enclosed: Request for Time Extension & Copy of ZBA Resolution No. 2020-16 (Rec'd 3/27/2023)

BOARD NOTES:

[illegible]

Motion offered by _____ to be moved and seconded by _____

Mehnert _____ Murphy _____ Reilly-Ierardi _____ Saracene _____ Hernandez _____

Councilwoman DeMarco _____ Mayor Fox _____ Rosenberg _____ Mayer _____

Alternates: Psiuk (Alt. 1) _____ Bruynell (Alt. 2) _____ Bocco (Alt. 3) _____ Advento (Alt. 4) _____

Applicant is seeking an extension of original variance approval which was granted by the Zoning Board of Adjustment per Resolution No. 2021-16. Due to multiple negative impacts to the prior tenant's business they never installed the approved awnings. There is currently a new tenant who wishes to keep the option to add the awnings as their business establishes and grows; however, capital is a consideration in the awning installation at this time.

BOARD NOTES:

[illegible]

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Previously Enclosed: Application for Variance (Rec'd 2/24/2023)
Zoning Permit Denial (2/23/2023)
Photo of Front of Existing Dwelling (undated)
Survey of Property (1/4/2023)
Architectural Plans (2 sheets) (2/1/2023)

LUB23/08 – (Interpretation of Ordinance/Appeal of Zoning Officer’s Determination and in the Alternative Bulk Variance Relief for the Construction of a New Single Family Home with Detached Garage on this Non-Conforming Lot) – Scott & Susan Schwartz – Block 10, Lot 25.02 – 208 ½ Newark Avenue – Applicant is seeking an Interpretation of the Ordinance/Appeal of the Zoning Officer’s Determination with regard to their Zoning Permit Denial for the proposed construction a new single family home with detached garage on this non-conforming lot. If the Board finds in favor of the Zoning Officer’s Determination then the Applicant wishes to pursue any variance relief deemed necessary by the Board for their proposal. Applicant is represented by Michael J. Wenning, Esq.

Enclosed: Application for Appeal of Zoning Officer’s Determination (Rec’d 2/28/2023)
 Confirmation from Prior Zoning Officer (7/8/2021)
 Denial of Zoning Permit (2/2/2023)
 Dickert E-mail to Schwartz (2/13/2023)
 Topographic Survey (5/16/2022)
 Architectural Plans (6 sheets) (2/2023)
 Application for Bulk Variances (if required)
 Architectural Sheet A-1 Basement/Foundation Plan & Notes (3/10/2023)

Correspondence: Zoning Officer E-mail to Board Secretary & Board Professionals (4/6/2023)
 Board Engineer’s Review Letter (4/18/2023)

BOARD NOTES:

Motion offered by _____ to be moved and seconded by _____
Mehnert _____ Murphy _____ Reilly-Ierardi _____ Saracene _____ Hernandez _____
Councilwoman DeMarco _____ Mayor Fox _____ Rosenberg _____ Mayer _____
Alternates: Psiuk (Alt. 1) _____ Bruynell (Alt. 2) _____ Bocco (Alt. 3) _____ Advento (Alt. 4) _____

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. Applicant is represented by Jeffrey P. Beekman, Esq. ****PARTIALLY HEARD ON FEBRUARY 23, 2023****

Previously Enclosed: Application for Variance (Rec'd 11/2/2022)
Surveyor's Report Regarding Front Yard Setbacks (2/18/2022)
Survey of Property (3/23/2021)
Architectural Plans (3 sheets) (last revised 1/23/2023)

Currently Enclosed: Revised Architectural Plans (3 sheets) (last revised April 28, 2023)

Prior Correspondence: Board Engineer's Review Letter (2/6/2023)

Current Correspondence: Board Engineer's Review Letter on Revised Plans (5/4/2023)

BOARD NOTES:

(NEED SIGNED CERTIFICATIONS FROM PRIOR HEARING - MAYOR FOX, PAUL MURPHY, COUNCILWOMAN DEMARCO, LIZ HERNANDEZ, AND HARVEY ROSENBERG)

Motion offered by _____ to be moved and seconded by _____

Mehnert _____ Murphy _____ Reilly-Ierardi _____ Saracene _____ Hernandez _____

Councilwoman DeMarco _____ Mayor Fox _____ Rosenberg _____ Mayer _____

Alternates: Psiuk (Alt. 1) _____ Bruynell (Alt. 2) _____ Bocco (Alt. 3) _____ Advento (Alt. 4) _____