

**Bradley Beach Land Use Board
Regular Meeting Minutes
Meeting Held in Person at 701 Main Street
Thursday, July 20, 2023 @ 6:30 PM**

Regular Meeting is called to order at 6:30 PM. Board and Public recite the Pledge of Allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Mayor Larry Fox, Paul Murphy (arrives @ 6:44 PM), Councilwoman Meredith DeMarco, JohnEric Advento, Arianna Bocco, Kelly Reilly-Ierardi, Robert Mehnert, William Psiuk, Lauren Saracene, Deborah Bruynell, and Dennis Mayer

Absent: Liz Hernandez and Harvey Rosenberg

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: None.

Approval and Adoption of Meeting Minutes from the Regular Meeting of June 15, 2023 – Motion to approve and adopt offered by Chair Dennis Mayer, Seconded by Robert Mehnert. All eligible members present in favor.

Resolutions Memorialized:

- a. **Resolution 2023-17** – Certificate of Non-Conforming Use - Paul & Irene Laki and Dave & Debora Knoeller – Block 83, Lot 6 – 19-21 Pacific Avenue
- b. **Resolution 2023-18** – Approval of Bulk Variances for Relocation of Existing Dwelling with new 2 ½ story addition) – Reynolds/Palmerin – Block 25, Lots 14 & 15 – 100 Ocean Park Avenue
- c. **Resolution 2023-19** – Approval of Bulk Variances for Demolition of Existing Detached Garage & Additions) – Neil & Susan Wasser – Block 22, Lot 12 – 400 Ocean Park Avenue

Applications Considered:

LUB23/12 – (Use and Bulk Variances to Renovate Existing Commercial Building and Make It a Single-Family Dwelling) – David & Tina Sacci – Block 83, Lot 13 – 28 Main Street – Applicant is proposing renovations to the existing building and changing the use to a single-family dwelling requiring use variance and bulk variances for rear yard setback, driveway apron widths, and driveway widths. **(Partially Heard on June 15, 2023)**

Mayor Fox and Councilwoman DeMarco must recuse themselves as the following matter involves a Use Variance. Certifications received from Mr. Advento & Ms. Saracene with regard to watching the

video of the prior hearing on June 15, 2023; therefore, they are eligible to vote should the Board reach a decision.

Jeffrey P. Beekman, Esq. reintroduces his witnesses - Joseph Kociuba, PE, PP; Cortney Walleston, AIA; Tina & David Sacci (contract purchasers).

Mr. Beekman introduces Exhibit A-3 – NJDOT Approval for the proposed driveway and curb cut on Main Street.

Mr. Murphy arrives at 6:44 PM – he is eligible to vote on the application as no testimony has been provided as of yet.

Joseph Kociuba, PE, PP – describes the approval regarding the curb cut and first 20 feet into the property. Jerry Freda indicates they would prefer concrete not pavers for the apron in the right-of-way due to possible maintenance issues in the future.

Joseph Kociuba, PE, PP describes the driveway and the requirement of the 12-foot edge clearance which is why it is currently laid out the way it is. Will amend to concrete for the apron and pavers for the driveway. It is a requirement of the DOT to provide a K-turn for a driveway onto a State Highway and they are seeking to save the large mature tree on the property.

Variances for the driveway are discussed and are not necessary in this zone, but discussed as compared to a residential zone. The driveway will be 12 feet at the street and property line and become wider towards the building. Two (2) cars would be parked past the adjacent property and the third would be approximately ½ way.

Joseph Kociuba, PE, PP provides the planning testimony with respect to the proposed use. This building is the original from 1955. The surrounding area is a mix of permitted and non-permitted uses. This particular block stands out on both side of Main Street because it has the most single-family dwellings, and it transitions as you enter Bradley Beach from the southern end of town. In this particular case, the site is conforming to the Residential Zone standards.

There is a discussion regarding what could be there as a permitted use vs. what is proposed. It is believed this is a better alternative as it provides off-street parking without a burden to the surrounding area.

Pre-existing, nonconforming variances are discussed and are not changing.

There is a technical variance – 30-foot setback for the driveway cannot be achieved because of the size of the lot and NJDOT has approved what is currently proposed.

There is no negative impact perceived with this use as testified, nor is there any substantial impact to the Master Plan or Zone Plan and Mr. Kociuba feels the benefits outweigh any detriments.

Jerry Freda – has a mild concern with the K-turn being so close to the driveway entrance. Mr. Kociuba states they can widen and extend it 2 feet to the north and 1 foot to the east and push out the 13' 8" area a foot or two as well in order to make it work. It is agreed compliance with this issue will be left to the Board Engineer.

Chair Mayer – asks if there is any change to the building itself other than cosmetic? It is indicated there will be no changes to the building itself other than interior and cosmetic.

The Applicant agrees to install drywells if necessary per the Board Engineer.

Cortney Walleston, AIA – qualified/accepted. Ms. Walleston describes the proposed changes as they are mostly interior – the HVAC equipment will remain on the roof as it exists today.

Chair Mayer questions the windows on the sides. It is indicated there is no issue only 1 window is changing to an egress window.

Exhibit A-4 – updated rendering Sheet A-200 reviewed.

David Sacchi discusses the landscaping being proposed.

Jeffrey Beekman, Esq. provides his summation and requests that the Board act favorably and grant approval for this project as discussed.

Based upon the application submitted and the testimony provided supporting this request, Dennis Mayer makes a motion to approve this application as presented with the driveway revisions and drainage to be reviewed and approved by the Board Engineer; moved and seconded by Deborah Bruynell:

Those in Favor: Robert Mehnert, Paul Murphy, Kelly Reilly-Ierardi, Lauren Saracene, William Psiuk, Deborah Bruynell, and Dennis Mayer

Those Absent: Liz Hernandez and Harvey Rosenberg

Those Recused: Mayor Larry Fox and Councilwoman Meredith DeMarco

Those in Opposition: None.

Those Abstained: None.

LUB23/09 – (Bulk Variances for Front Porch & Balcony Additions) – Stephen & Maria Rivera – Block 69, Lot 7 – 402 Second Avenue – Applicant is proposing a renovation including a front porch and balcony. The proposed improvements require Board approval for variances on front yard setback to the porch, location of the balcony, balcony size, building coverage, as well as separation between principal dwelling and accessory structure.

Chair Dennis Mayer must recuse himself because he is within 200 feet of the subject property. He turns the meeting over to Lauren Saracene to Chair.

Mayor Fox and Councilwoman Meredith DeMarco return.

Applicant is represented by Richard Stone, Esq.

Exhibit A-1 – 1949 photo of original home introduced.

Exhibit A-2 – Google Streetview current & accurate (View of Across the Street from Subject Property)

Dan Fortunato, AIA & Laurence Murphy, PE – are sworn in with Jerry Freda and Christine Bell.

Mr. Stone provides a summary of the proposal.

Mark Kitrick, Esq. notes for the record that there are no members of the public present.

Laurence Murphy, PE – qualified and accepted. Mr. Murphy describes the current conditions of the site, and the building has some existing nonconformities. They are proposing an 8 ½ ft. front porch the length of the house. It was noted that there was an 8-foot exception for porches; therefore, they will amend to 8 feet to eliminate the front yard setback variance and will be fully compliant with the side yard setback. It is noted that front porches are consistent on the street. Applicant is proposing to extend the balcony toward the rear of the home and will eliminate the extension, but seeking to retain the existing balcony and return the railings so it can be utilized again and will be to Code. It is noted the building coverage is increasing slightly; however, the impervious coverage is being complied with. Applicant agrees to pipe roof leaders to a drywell.

Arianna Bocco – Confirms there is an existing door to the balcony and questions the material of the proposed balcony.

Dan Fortunato, AIA – a brand new deck is being proposed over the existing membrane with new rails surrounding.

Jerry Freda – questions the 8-foot 6-inch projection of the porch which is clarified by Mr. Murphy. Mr. Murphy also clarifies the overall square footage of the balcony.

Jerry Freda indicates a variance for building coverage is still needed as it will be 2,193 s.f.

Jerry Freda also indicates a new variance for the separation to the accessory structure is not longer needed as it is existing.

Christine Bell – A variance for building coverage and the location of the balcony are still required; however, the balcony existed historically.

The balcony and roof drainage are briefly discussed.

Arianna Bocco – questions the type of railing being proposed. Dan Fortunato states it will probably be a metal material.

Dan Fortunato, AIA – qualified/accepted – provides a brief description of the proposal.

Exhibit A-3 – Architectural Rendering dated October 25, 2022

Based upon the application submitted and the testimony provided, Lauren Saracene makes a motion to approve the application as presented with the changes discussed to the porch, balcony, and drainage compliance per the Board Engineer, moved and seconded by William Psiuk:

Those in Favor: Robert Mehnert, Paul Murphy, Kelly Reilly-Ierardi, Councilwoman Meredith DeMarco, Mayor Larry Fox, William Psiuk, Deborah Bruynell, Arianna Bocco, and Lauren Saracene

Those Absent: Liz Hernandez and Harvey Rosenberg

Those Recused: Dennis Mayer

Those in Opposition: None.

Those Abstained: None.

Adjournment:

Next scheduled meeting will be our **Regular Meeting on Thursday, August 17, 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 Lauren Saracene moved and seconded by Robert Mehnert. All in favor. Meeting closed at 8:20 PM.

Minutes submitted by Kristie Dickert, Board Secretary