

**Bradley Beach Land Use Board
Regular Meeting Minutes
Meeting Held in Person at 701 Main Street
Thursday, June 20, 2024 @ 6:30 PM**

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

The Board and members of the public recite the pledge of allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: Mayor Larry Fox, Liz Hernandez, Councilperson Kristen Mahoney, Meredith DeMarco, Dennis Mayer, William Psiuk, Kelly Reilly-Ierardi, Lauren Saracene, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, and Mary Pat Riordan

Absent: Robert Mehnert

Also Present: Mark Kitrick, Esq., Gerald Freda, PE, PP, CME, and Christine Bell, PP, AICP

Mark Kitrick, Esq. notifies public that Meredith DeMarco has been sworn in as the new Class II member as Paul Murphy has resigned from the Board.

Chair Mayer advises the public of the Board's policies and procedures for the hearing.

Approval and Adoption of Meeting Minutes from the Regular Meeting of May 16, 2024 –

Motion to adopt offered by Chair Dennis Mayer, seconded by Arianna Bocco. All eligible members present in favor.

Resolutions Memorialized:

- a. **Resolution 2024-12 – Approval of Bulk Variance(s) and d(6) Height Variance for Pre-Existing Turret** - NLA Properties, LLC – Block 25, Lot 13 – 900 Ocean Avenue
- a. **Resolution 2024-13 – Approval of Minor Site Plan with Bulk Variance(s)** - Lee Restaurant Group, LLC – Block 58, Lot 4 – 415 Main Street
- b. **Resolution 2024-14 – Approval of Amended Minor Site Plan** - Bradley Lab, LLC – Block 71, Lot 30 – 110 Main Street
- c. **Resolution 2024-15 – Finding Proposed Ordinance 2024-7 Consistent with the Borough's Master Plan**

Consistency Determination:

Ordinance No. 2024-7 of the Borough of Bradley Beach Amending Chapter 396: "Stormwater Management" of the Borough's Revised General Ordinances to revise the Borough's Stormwater Management Rules in accordance with recommendations from the Monmouth County Planning Board, introduced at the Borough Council meeting on May 8, 2024.

Christine Bell, PP, AICP prepared a review of the proposed Ordinance and finds same to be consistent with the Borough's Master Plan as well as the NJDEP Regulations. These recent revisions were as a result of comments received from the Monmouth County Planning Board on the prior version of the Ordinance which had been reviewed by this Board.

Chair Mayer makes a motion finding the proposed Ordinance consistent with the Borough's Master Plan, seconded by William Psiuk.

Those in favor: *Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Meredith DeMarco, Councilperson Kristen Mahoney, Mayor Larry Fox, Deborah Bruynell, William Psiuk, and Dennis Mayer*

Mark Kitrick, Esq. reads a resolution which he has drafted finding the Ordinance Consistent with the Borough's Master Plan and the Board Memorialized said resolution as follows:

Chair Mayer makes the motion to memorialize the resolution finding Proposed Ordinance consistent with the Borough's Master Plan, seconded by Deborah Bruynell.

Those in favor: *Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Meredith DeMarco, Councilperson Kristen Mahoney, Mayor Larry Fox, Deborah Bruynell, William Psiuk, and Dennis Mayer*

Applications Considered:

LUB23/24 (Bulk Variances for Rear Yard Setback) – Kalena Group, LLC – Block 68, Lot 6 – 301 Third Avenue – Applicant is proposing to renovate an existing single-family residence including the construction a two-story addition along with a covered porch, patio(s), and balcony at the attic level.

****KELLY REILLY-IERARDI RECUSES HERSELF AS SHE IS WITHIN 200 FEET OF THE PROPERTY ****

Applicant is represented by George D. McGill, Esq.

Mr. McGill presents a photo board containing 8 color photos which is marked as A-1

Glenn Crooker – is the sole member of the LLC.

Mr. McGill describes the proposal and what is being requested by the Applicant. He also indicates they have agreed to withdraw the balcony from the project and eliminate the variance. They will redesign around that element.

Al Shissias and Glen Crooker are sworn in with the Board Professionals.

Glen Crooker indicates he bought this property as a summer home and have since moved there full-time 2 years ago. They require storage space now since this is a full-time residence.

The plan was to renovate; however, there are currently some additions that were already on the home when purchased and they are sub-par. The house is an older original home and Mr. Crooker indicates the does historic restoration for a living; therefore, he would rather bring the house together uniformly rather than tearing down. The home needs roofing, siding, updates, and they did find some structural deficiencies. On the interior they wish to open up the first floor to make it more modern.

Mitch Karp – 303 Third Avenue – indicates this is an oversized lot and asks with regard to the west side of the property if they can comply rather than ask for the variance. Mr. Crooker responded that by doing so it could possibly affect the structural integrity of the original home.

Joel Goldfinger – indicates he lives towards the south end of the home and wants to know if the new garage will be closer to his property line as he is concerned about drainage. The resident's drainage concerns are addressed and the rules regarding same are explained.

Al Shissias, AIA – qualified/accepted. Mr. Shissias indicates he was hired by the owner, and they had discussions regarding the design. Mr. Crooker wanted to modernize the home yet preserve the overall façade of original home. He feels the proposed improvements will make the house more useful and that the proposal is within the scale and similar to surrounding properties and he does not feel providing the required drainage will be an issue.

William Psiuk – questions the attic ½ story – it is stated it is existing 628 s.f. and not proposing any changes to this level.

Councilwoman Kristen Mahoney – questions the request for a patio variance? Jerry Freda indicates in is no longer a variance issue as the plan had been revised.

Jerry Freda – questions the building height. Al Shissias describes the confusion between the actual elevation and the rendering.

Mitch Karp – 303 Third Avenue – asks questions regarding the Master Suite.

Jerry Freda asks about the mechanical equipment and if they would be willing to provide some sort of approved screen for same.

Public Comment

Mitch Karp – 303 Third Avenue – sworn in – asks the Board to abide by the Ordinance and feels this addition will block natural light into his home on the adjoining property.

Dennis Mayer – has an issue with the expansion of the existing nonconformity. A discussion takes place and the Applicant’s attorney requests a break.

****BOARD RETURNS AT 7:59 AND ALL MEMBERS STILL PRESENT****

Mr. Crooker explains the process that has been taken to attain this design and why; however, will take the advice of the Board and he wishes to proceed.

Based upon the application and testimony provided, Chair Dennis Mayer makes a motion to deny the application as he disagrees with the expansion of the nonconformity, seconded by William Psiuk.

Those in Favor: Liz Hernandez, Councilwoman Kristen Mahoney, Arianna Bocco, William Psiuk, and Dennis Mayer

Those Absent: Robert Mehnert

Those Recused: Kelly Reilly-Ierardi

Those in Opposition: Lauren Saracene, Meredith DeMarco, Mayor Larry Fox, and Deborah Bruynell

Those Ineligible: N/A

****MAYOR FOX AND COUNCILWOMAN MAHONEY ARE EXECUSED AS THE REMAINING APPLICATIONS INVOLVE USE VARIANCES OF WHICH THEY CANNOT PARTICIPATE AND KELLY REILLY-IERARDI RETURNS TO THE DAIS****

LUB23/28 (Use and Bulk Variances for Addition to Existing Garage Structure) – Robert Galos – Block 81, Lot 4 – 27 ½ Pacific Avenue – Applicant is proposing an addition to the existing garage by enclosing the area under the existing second floor cantilever of the garage. The proposed improvements require variance approval from the Board regarding use and side yard setbacks.

****ANNOUNCEMENT IS MADE THAT MS. DEMARCO & MS. HERNANDEZ HAVE WATCHED THE VIDEO OF THE PRIOR HEARING AND ARE ELIGIBLE TO VOTE SHOULD THE BOARD REACH A DECISION****

Applicant is represented by Richard B. Stone, Esq.

Mr. Stone provides some background and indicates that his client has retained an architect and professional planner. The Applicant is proposing to reduce the number of bedrooms from 2 to 1.

Paul Lawrence, AIA; Allison Coffin, PP, AICP, and Robert Galos are sworn in along with the Board's Professionals.

Paul Lawrence, AIA is qualified and accepted by the Board. Mr. Lawrence explains that this is currently a small 2-car garage with an apartment above. They are seeking to expand the garage to accommodate a car and laundry facilities. He feels the improvements will make the structure more aesthetically pleasing. They are proposing to increase the ceiling height and roof height to increase the interior livability. The current garage is 19.6 feet x 22.8 feet – the increase would allow 2 cars to park along with utilities and some storage.

Thomas J. Coan – questions how many square feet are being added to the 2nd floor with this proposed addition? It is indicated the total 2nd story will be 701 s.f.

Allison Coffin, PP, AICP – qualified and accepted by the Board. Ms. Coffin provides testimony regarding the surrounding area as well as a description of what is being proposed. She provides testimony regarding the positive and negative criteria surrounding the application. She describes the variances – existing and proposed and provides special reasons why the Board can grant the requested variances. She does not feel there would be any detriment to the surrounding area.

Thomas J. Coan – 612 Third Avenue – asks if the proposed setup improves parking. It is indicated yes, as it would be able to accommodate 2 cars.

Thomas J. Coan – 612 Third Avenue – sworn in – Mr. Coan indicates this is an interesting application and feels the proposal is excellent as it is not only improving the structure but reducing the nonconformity by having one bedroom vs. the two that exist today.

Based upon the application and testimony provided, Chair Dennis Mayer makes a motion to approve the application, seconded by William Psiuk.

Those in Favor: Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Meredith DeMarco, Deborah Bruynell, William Psiuk, and Dennis Mayer

Those Absent: Robert Mehnert

Those Recused: None

Those in Opposition: None

Those Ineligible: N/A

****BOARD TAKES A BRIEF RECESS AND RETURNS AT 8:45 PM – ALL MEMBERS STILL PRESENT****

LUB23/29 (Use & Bulk Variances for Proposed Expansion of Nonconforming Structure(s)/Use – 215 Brinley Ave, LLC – Block 50, Lot 3 – 215 Brinley Avenue – Applicant is proposing a first-floor deck and interior renovations to the existing front dwelling. The Applicant is also proposing improvements to the front dwelling which includes a new covered front entry on the west side and a new covered rear entry. The Applicant is also proposing to reconfigure the units within the front dwelling.

Applicant is represented by Richard B. Stone, Esq.

Color Photo Packet is distributed to the Board.

John Manino, AIA – describes the site and what is being proposed as there are currently two (2) dwellings on 1 lot. The front dwelling contains two (2) 2-bedroom units while the rear single-story dwelling contains three bedrooms for a total of seven bedrooms on the lot now. The property was purchased 15 years ago, and the owners are looking to make this their permanent home and utilize the 1st floor unit of the front dwelling and expand that unit's living space partially to the 2nd floor. There is no proposed increase in the number of bedrooms, just a reconfiguration of the number of rooms in each unit. The plan is to revise the 1st floor layout and 2nd floor.

The Before and After photos are described to the Board. The Upper Level and Lower Level decks are also described. There are areas of impervious coverage on the lot that the applicant is willing to remove.

A discussion regarding the location of the 2nd floor deck takes place as the Board is not comfortable with the pre-existing nonconforming deck being expanded.

Mr. Stone requests a recess to discuss with his clients.

****9:25 PM – the Board returns, and all members are still present****

Mr. Stone indicates they have heard the Board's concerns and request to carry this matter to July 18th with no further notice being required.

Chair Dennis Mayer makes a motion to carry this matter to July 18th with no further notice being required, seconded by Meredith DeMarco – All members present in favor.

LUB24/02 (Use Variance and Bulk Variances to Reconstruct a 2nd Principal Structure Damaged by Fire) – Dennis & Roberta McDonough – Block 18, Lot 21 – 516 Park Place Avenue – The Applicants are proposing to reconstruct a fire-damaged nonconforming structure requiring variances for the 2nd principal use on the lot, front yard setback, side yard setback, rear yard setback, and off-street parking requirements.

Applicants are represented by Mark R. Aikins, Esq. – Mark Kitrick, Esq. indicates that the notice has been reviewed and the Board can accept jurisdiction.

Mark Aikins, Esq. provides a brief introduction and the history of the owners. It is indicated that there have been 2 principal uses on the lot for more than 100 years according to research.

Dennis McDonough – sworn in along with the Board's Professionals. Mr. McDonough is the owner of the property as he purchased the property in August 2001. He describes the condition of the house and when purchased they intended to live in the front house. The back house had been rented 5 years by the same couple prior to his purchase. On May 19, 2023 during the fire the wife had passed

away. The tenant was out, and the apartment caught fire. The Fire Marshall ruled the fire started in the area of the dryer. Steve LoSacco (Construction Official) directed the McDonough's to Donna Barr (Zoning Officer). On May 22, 2023 Donna Barr was informed of the fire and was asked what was needed to rebuild. They received a response indicating they needed architectural, completed permit application, survey, and the appropriate fee. The first floor of the rear structure contains a 2-car garage with utility room for heating and storage, there is no habitation of the first floor.

The insurance company and their builder came to evaluate the damage after the fire. The insurance agent indicated that A. Molly can take care of construction and indicated they are a licensed contractor approved by the insurance company. Mr. McDonough provides additional testimony and timeline of events surrounding the A. Molly contractor including the fact that most of the repair work had been done without the required permits. At the end of November Steve LoSacco called requesting the status and advised there were no permits.

Thomas J. Coan asks if the floor area has been increased? It is indicated no. Mr. Coan asks if they are familiar with Ordinance Section 450-12 Item B1 as revised?

Due to the late hour, Mark Aikins, Esq. requests that this matter be carried to the July 18, 2024 meeting without further notice.

Chair Dennis Mayer makes a motion to carry this matter to July 18th with no further notice being required, seconded by William Psiuk – All members present in favor.

Adjournment:

Next scheduled meeting will be our **Regular Meeting on Thursday, July 18, 2024 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.

With no further business before the Board a motion to adjourn was offered by Chair Dennis Mayer moved and seconded by Timothy Sexsmith. All in favor. Meeting closed at 10:00 PM.

Minutes submitted by Kristie Dickert, Board Secretary