

**Bradley Beach Land Use Board
Regular Meeting Minutes
Meeting Held in Person at 701 Main Street
Thursday, July 18, 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: Councilperson Kristen Mahoney, Meredith DeMarco, Dennis Mayer, Robert Mehnert, William Psiuk, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith

Absent: Mayor Larry Fox, Liz Hernandez, Kelly Reilly-Ierardi, Lauren Saracene, Mary Pat Riordan

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

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 June 20, 2024 –

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

Resolutions Memorialized:

- a. **Resolution 2024-16 – Denial of Bulk Variance(s) – Kalena Group, LLC – Block 68, Lot 6 – 301 Third Avenue**
- b. **Resolution 2024-17 – Approval of Use and Bulk Variances for Addition and Improvements to Existing Garage Structure – Robert Galos – Block 81, Lot 4 – 27 ½ Pacific Avenue**

Applications Considered:

LUB23/26 (Use & Bulk Variances for the Removal of Existing Rear 1-story Dwelling and Construction of a Garage w/Apartment) – Brian Downey - Block 60, Lot 3 – 619 Fourth Avenue

– Applicant is proposing to remove the existing one-story dwelling at the rear of the existing 2 ½ story dwelling as well as the construction of a new detached garage with apartment. Applicant is represented by Glenn Williams, Esq.

****THIS MATTER WAS NOT HEARD AND WAS CARRIED TO 8/15/2024 WITH NO FURTHER NOTICE BEING REQUIRED BY MOTION MADE BY DENNIS MAYER AND SECONDED BY WILLIAM PSIUK.****

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. ****PARTIALLY HEARD ON 6/20/2024****

Kristen Mahoney is excused as this application involves a Use Variance.

Robert Mehnert has certified that he has watched the video from the previous hearing and he is eligible to vote should the Board reach a decision.

Robert Hudak, PP, AICP is sworn in along with Jerry Freda and Christine Bell.

Mr. Hudak is a licensed planner in the State of New Jersey who is qualified and accepted by the Board as a Planning Expert.

Mr. Hudak provides a brief summary of the application. The home is original since 1902 so they are requesting to put back what was once there. The garage itself is okay, it was the apartment that was damaged by the fire and the structure does not comply with the current ordinances.

This was an existing, nonconforming structure and the applicant is seeking a d1 variance to reconstruct it. Mr. Hudak provides the proofs surround the request for use variance and feels it advances purposes A, C, G, I, and N. Mr. Hudak provides testimony to satisfy the special reasons supporting the request for use variance. He feels the benefits outweigh any detriments.

Thomas J. Coan – 612 Third Ave – expresses he hopes the Board acts favorably with a positive action on this matter.

Jerry Freda, PE notes that a condition of any approval should be that the sidewalk if damaged or found in disrepair should be repaired.

Based upon the application and testimony provided, Chair Dennis Mayer makes a motion to approve the application with the condition that the sidewalk be inspected and repaired, if necessary, seconded by Meredith DeMarco.

Those in Favor: Robert Mehnert, Meredith DeMarco, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, William Psiuk, and Dennis Mayer

Those Absent: Mayor Larry Fox, Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Mary Pat Riordan

Those Recused: None

Those in Opposition: None

Those Ineligible: Kristen Mahoney

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. ****PARTIALLY HEARD ON 6/20/2024****

Kristen Mahoney is excused as this application involves a Use Variance.

Robert Mehnert has certified that he has watched the video from the previous hearing and he is eligible to vote should the Board reach a decision.

John Manino, AIA – summarizes last hearing and proposed reconfiguration – 2nd level deck and deck on side are discussed and reduced in size. The 2nd level deck on the side has been eliminated and it is requested that it now be converted to a pergola. There has been a small reduction in lot coverage.

The revised Board Engineer/Planner’s review is discussed.

It is indicated the applicant is willing to move the lower side yard deck to the interior of the existing 8” x 8” posts.

William Psiuk questions the “privacy wall”. It is indicated to be 6’-7’ high. The Board requests that it be a maximum of 6 feet which is agreed to.

Marc Lieber, PE – sworn in – qualified and accepted.

Exhibit A-1 – Photo packet of 6 photos taken on June 20, 2024. Mr. Lieber describes the photos.

Parking and lot coverage are discussed as they are bringing down the lot coverage by 160 s.f. There are 9 different downspouts and there are no drainage issues currently on the lot or surrounding area. Per zoning, 6 spaces are required and the gravel area only provides for 3 spaces. The site can accommodate 7 vehicles, but only 3 without blocking someone in.

It is requested that the downspouts be tied into pop-up emitters to direct drainage to the street. The Engineer and Architect will coordinate.

Alison Coffin, PP, AICP – qualified and accepted. Ms. Coffin provides the necessary planning testimony providing the positive and negative criteria in support of the relief being requested. She discusses the pre-existing, nonconforming conditions. She provides the special reasons supporting the d2 Use Variance as this is an expansion of a pre-existing condition.

Thomas J. Coan – questions how many variances would be required if this were a single family. It is indicated there would be no change it would be the same.

James Dougherty – 217 Brinley – sworn in – He indicates he has no objections to the proposal. They have been his neighbors for 15 years and there are no privacy issues.

Based upon the application and testimony provided, Chair Dennis Mayer makes a motion to approve the application with the condition of the addition of pop-ups/sump pump, the lower deck be cut back to the face of the existing posts, that the screen sidewall be a maximum of 6 feet, and that the sidewalk be inspected and repaired as directed, seconded by William Psiuk.

Those in Favor: Robert Mehnert, Meredith DeMarco, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, William Psiuk, and Dennis Mayer

Those Absent: Mayor Larry Fox, Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Mary Pat Riordan

Those Recused: None

Those in Opposition: None

Those Ineligible: Kristen Mahoney

LUB24/04 (Bulk Variances to Reconstruct Home and Accessory Garage w/Apartment) – Michele Glatter & Brandt Hersh – Block 63, Lot 20 – 314 Third Avenue – Applicant is proposing to demolish the existing dwelling and garage and construct a new 2 ½ story dwelling with a covered front porch, upper porch, detached garage w/apartment, stone patio, installation of a generator, and a driveway. Applicant is represented by Thomas J. Hirsch, Esq.

Dennis Mayer is recused from this application as he is within 200 feet.

Council Kristen Mahoney returns to the meeting.

Notice is reviewed and accepted.

It is indicated there was a flood on the property due to broken pipes and it was determined that the existing home had to be demolished.

The initial review report from the Board Professionals identified 7 variances. The plans have been revised and the applicant is only seeking 3 variances – one for the patio, one for the generator, and one for the proposed distance separating the structures.

Brandt Hersh and Earl Jackson – sworn in along with Jerry Freda and Christine Bell.

Brandt Hersh – owner – indicates they were living in NY and the intent was to renovate the home and move to Bradley Beach full-time – they had been looking for property for a year during COVID and finally closed on this property in April 2023. They started the planning process in July 2023 and then the pipe burst on the 3rd floor. The Engineers and Architects determined the home was not salvageable. Mr. Hersh indicates they are currently renting while planning the renovations. He indicates they spoke to Mr. Jackson and indicated they wanted to keep the same style of the original house. Mr. Hersh indicates he currently works in Matawan and his wife works from home.

Earl Jackson, AIA – qualified and accepted. Mr. Jackson describes the existing property as there are various nonconformities that are being eliminated. He discusses the placement of the A/C units and generator as well as the garage apartment.

Mr. Jackson has no objections to the Leon S. Avakian, Inc. review letter and they will comply.

Thomas J. Coan – questions the finish of the exterior. It is indicated to be stucco. Questions the design issues surrounding the carport and building & impervious coverages.

Thomas J. Coan – 612 Third Avenue – sworn in – Mr. Coan indicates he is happy they decided to keep the character of the home as he lives near the property and indicates it was horrible before.

Thomas J. Hirsch, Esq. provides a summation and does not feel there is any detriments with this proposal and requests that the Board act favorably upon the application as presented.

Based upon the application and testimony provided, Deborah Bruynell makes a motion to approve the application as presented, seconded by Councilwoman Kristen Mahoney.

Those in Favor: Robert Mehnert, Meredith DeMarco, Councilwoman Kristen Mahoney, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, and William Psiuk

Those Absent: Mayor Larry Fox, Lauren Saracene, Liz Hernandez, Kelly Reilly-Ierardi, Mary Pat Riordan

Those Recused: Dennis Mayer

Those in Opposition: None

Those Ineligible: None

Adjournment:

Next scheduled meeting will be our **Regular Meeting on Thursday, August 15, 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 Meredith DeMarco moved and seconded by Arianna Bocco. All in favor. Meeting closed at 9:05 PM.

Minutes submitted by Kristie Dickert, Board Secretary