

**Bradley Beach Land Use Board  
Regular Meeting Minutes  
Meeting Held in Person at 701 Main Street  
Thursday, July 17, 2025 @ 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: Thomas J. Coan, Dennis Mayer, James Wishbow, Kristen Mahoney, Robert Mehnert, Councilman Paul Nowicki, Lauren Saracene, Donald Warnet, Victoria Leahy, and James Frederick

Absent: Liz Hernandez, Mayor Al Gubitosi and Mitch Karp

Also Present: Anne Marie Rizzuto, Esq., Gerald Freda, PE, PP, and Christine Bell, PP, AICP

**Chair Mayer advises the public regarding the policies and procedures of the Board and how the meeting will proceed.**

**The Board Secretary outlines a few changes that were made to the meeting minutes which had been requested by Board Member Wishbow.**

**Approval and Adoption of Meeting Minutes from the Regular Meeting of May 15, 2025 –**

Motion to adopt offered by Kristen Mahoney, seconded by James Wishbow. All eligible members present in favor.

**Approval and Adoption of Meeting Minutes from the Special Meeting of May 29, 2025 –**

Motion to adopt offered by Dennis Mayer, seconded by Robert Mehnert. All eligible members present in favor.

**Resolutions to be Memorialized:**

**Resolution No. 2025-07** – Approval of Preliminary & Final Major Site Plan with Use and Bulk Variances – VFR Enterprise, LLC – Block 32, Lots 4 & 5 – 1111 & 1115 Main Street

**Resolution No. 2025-08** – Approval of Bulk Variances for Demolition of Existing Structures and Construction of New 2-Story Single Family Dwelling – Michael Laterza & Peter DiNuovo – Block 10, Lot 16 – 1103 ½ Beach Avenue

**Resolution No. 2025-09** – Approval of Bulk Variances for Demolition of Existing Dwelling and Construction of New 2-Story Single Family Dwelling – Ben & Gaetana D’Aniello – Block 14, Lots 26 & 27 – 106 Park Place Avenue

**VII. Consistency Determination:**

Ordinance No. 2025-20 of the Borough of Bradley Beach Amending Article VIII: “Off-Street Parking, Driveway and Loading Requirements” of Chapter 450: “Zoning” of the Borough’s Revised General Ordinances to Allow Residential Ribbon Driveways, introduced at the Borough Council meeting on July 1, 2025.

Christine Bell, PP, AICP reviews the consistency memo she has prepared for the Board as well as the sections of the Master Plan which recommends that ordinances be regularly reviewed for changes and updates where appropriate. She believes this specific ordinance has been updated because of the number of applications the Land Use Board has seen for this particular variance. recommendations which this proposed ordinance complies with.

Jerry Freda, PE, PP indicates he believes we are on the right track; however, you can't park a car in the driveway when the sprinklers are on. Chair Coan indicates they don't necessarily have to use sprinklers they can use other options such as drip irrigation. Jerry indicates he understands but could be a reason why people don't turn it on because they don't like it. There is no way to police this issue going forward.

Kristen Mahoney indicates there is a small detail in Section 4 on the 2<sup>nd</sup> page – it says Planning Board not Land Use Board. It is explained that the Land Use Board is essentially a Planning Board with Zoning Board of Adjustment Powers; therefore, it is appropriate as this is an action of a Planning Board in this instance.

**Based upon the recommendations of the Board Planner and the discussion which took place, Dennis Mayer makes a motion finding Ordinance No. 2025-20 consistent with the Borough's Master Plan, seconded by Kristen Mahoney.**

**Those in Favor:** Kristen Mahoney, Lauren Saracene, James Wishbow, Robert Mehnert, Donald Warnet, Victoria Leahy, James Frederick, Dennis Mayer, and Thomas J. Coan

**Those Absent:** Liz Hernandez, Mayor Al Gubitosi, and Mitch Karp

**Those Excused:** Councilman Paul Nowicki

**Those in Opposition:** None.

**Those Ineligible:** None.

**Applications Considered:**

**LUB25/04 – (Bulk Variances for Demolition of Existing 2-Family Dwelling and Construction of a New 2 ½ - Story Single Family Dwelling) - Anthony & Renata DiMarco – Block 26, Lot 1 – 116 McCabe Avenue** - The Applicant is proposing to demolish the existing dwelling and construct a 2 ½ - story single family dwelling with a front covered porch and elevated upper porch, (reduced) detached garage, rear paver patio and walkway, and driveway.

Applicants are represented by Jeffrey P. Beekman, Esq

Anthony Joseph DiMarco – sworn in – current address is 30 Spruce Hollow, Howell, NJ

Mr. Beekman provides an overview of the application. The applicants are proposing to remove a number of nonconformities. The variances which are existing and proposed are reviewed for what is being requested and what is permitted.

There are two (2) variances proposed, one for building coverage of 37.9% (145 s.f. over) and a 4-foot fence in the front yard area. There are currently 12 nonconformities and they are proposing to remove 7 of those while keeping 2 and proposing 2 new variances. This is currently a 2-family home and they are proposing to make it a single-family home.

Jerry Freda, PE, PP indicates there are 4 variances – while the driveway width and curb cut are being reduced, they still require variances.

Anthony DiMarco – in January 2017 the home was purchased as an investment property. During

COVID the family spent more time at the residence and therefore they decided they wanted to make it their permanent residence.

Leon S. Avakian Review is referenced and there are a number of general comments which they do not have an issue with and will comply with.

It is indicated the house is older and it needs upgrades anyway; the existing layout does not work for a single-family dwelling so it was recommended that with the rehabilitation needed it was a better option to tear down and start fresh.

The applicants have a dog; therefore, they are requesting the 4-foot fence to prevent the dog from jumping the fence. The house is on a mound and the fence is being proposed at the bottom of the mound and will be outside of any sight triangles.

Jerry Freda asks where the gates are located. Mr. DiMarco indicates there is 1 by the garage and 1 on the right side of the house between the neighbor.

Donald Warnet asks if this will remain a single-family dwelling. It is answered yes; at a minimum an application would have to be made to the Zoning Officer for any change of use if it meets the Ordinance requirements at the time of application.

Councilman Nowicki questions why the building coverage variance? Can the garage be cut back? Mr. Beekman indicates to wait for the Architect & Engineer for that question.

Mr. DiMarco indicates the house is an odd shape with numerous additions over the years to they are trying to get a more useable yard and a functional house.

Chair Coan – Questions why there is no bathroom in the ½ story? It is answered that it is not intended for living space and also indicated there are no plans to finish the basement at this time.

### **Open to the Public for Questions – No Public**

Doug Clelland, PE – sworn in – of InSite Engineering qualified/accepted.

### **Exhibit A-1 – Colored Site Layout Rendering dated July 11, 2025**

Mr. Clelland compares the existing conditions to the proposed conditions beginning with the McCabe Avenue frontage. He reviews the variances being requested as well as the drainage improvements, grading, and piping to provide infiltration and redirection of runoff.

Jerry requests to end with a pop-up at the curb for overflow and to not tie into basin. He requests on site perforated pipe in a trench underground to have water infiltrate into the ground. Also, the driveway apron, remove the note that says proposed sidewalk and label it apron. The curb is in good condition but the sidewalks should be replaced on McCabe and Beach – this item is agreed to by the applicant.

Councilman Nowicki – asks if they can reduce the garage one direction or the other to reduce the building coverage? Jerry Freda indicates if they reduce the garage any smaller it will no longer be a 2-car garage.

Dennis Mayer asks if they can transition a 10-foot length of fence on the west side.

Chair Coan does not agree with fences in the front yard area and does not see why they cannot have a 3-foot fence.

### **Open to the Public for Questions – No Public**

Edward Gorleski, AIA – sworn in – architect qualified/accepted. Mr. Gorleski describes how they arrived at this particular design and the reduction of the garage is further discussed.

### **Exhibit A-2 – Habitable Attic Calculation (1 sheet) dated June 30, 2025.**

Mr. Gorleski describes the exhibit indicating compliance.

Chair Coan asks what the proposed height of the ceiling is in the basement. Mr. Gorleski states an 8-foot ceiling height is proposed.

Edward Gorleski discusses the garage roof and that it complies with the 15-foot height requirement and no height variances. The garage is in good shape, and they are really only constructing 1 new wall – essentially block wall and replace with a smaller roof, 404 s.f. is proposed.

Brian Leff, PP, AICP – sworn in – BML Studio in Barnegat, NJ – Licenses are current. Qualified/accepted by the Board. Mr. Leff indicates the proposed improvements reduce or eliminate a lot of existing variances. He describes the remaining variances which are existing and which are proposed. He states the increased building coverage variance is triggered by the open porch which is not living space. He describes the fence and the reasons supporting the request for a 4-foot fence vs. a 3-foot fence as there is a change in elevation, it is a corner lot, and there are topographic challenges. He does not feel there are any detriments should the variances be granted and he feels that is in keeping with the Zoning Ordinance and the Zone Plan.

Councilman Nowicki asks if they can reduce the house?

Victoria Leahy asks if they can reduce the porch? A discussion takes place that the porch is currently proposed at only 8 feet deep.

It is indicated that a 3-foot fence will look dwarfed and out of place.

### **Open to the Public for Questions – No Public**

Jeffrey Beekman, Esq. provides a summation and provides the reasons supporting the requested variances and requests the Board approve the application.

Councilman Nowicki asks if the fence can be on an angle at the corner where it meets the driveway – the applicant agrees.

Jeffrey Beekman, Esq. asks if they can bifurcate the vote and vote solely on the application minus the fence and a separate vote regarding the fence.

**Based upon the request of Mr. Beekman, Kristen Mahoney makes a motion to approve the application as testified to and as stated without the 4-foot fence, seconded by Robert Mehnert.**

**Those in Favor:** Kristen Mahoney, Lauren Saracene, James Wishbow, Robert Mehnert, Councilman Paul Nowicki, Donald Warnet, Victoria Leahy, Dennis Mayer, and Thomas J. Coan

**Those Absent:** Liz Hernandez, Mayor Al Gubitosi, and Mitch Karp

**Those Recused:** None.

**Those in Opposition:** None.

**Those Ineligible:** None.

**Based upon the request of Mr. Beekman, Dennis Mayer makes a motion to approve the variance for the 4-foot fence as testified to with the proposed changes, seconded by Donald Warnet**

**Those in Favor:** Lauren Saracene, Robert Mehnert, Councilman Paul Nowicki, Donald Warnet, and Dennis Mayer

**Those Absent:** Liz Hernandez, Mayor Al Gubitosi, and Mitch Karp

**Those Recused:** None.

**Those in Opposition:** Kristen Mahoney, James Wishbow, Victoria Leahy, and Thomas J. Coan

**Those Ineligible:** None.

**Review of Board Professionals' Billing: None.**

**Correspondence: None.**

**New Business: None.**

**Old Business: None.**

#### **ROUND FOUR AFFORDABLE HOUSING WORKSHOP:**

Christine Bell indicates currently the Borough has been granted immunity and objectors have until the end of August to object; therefore, we should wait until the September meeting and hopefully we will have more information and direction from the Court. Currently we are in a holding pattern. We have currently done what we need to do within the timelines that were established. Going forward there is not a definite timeline we are assuming that all Ordinances will need to be adopted within the first quarter of 2026, but we won't know until the end of August what needs to be done. Anne Marie Rizzuto, Esq. indicates she would not be surprised if we don't receive direction until later in the year as the whole State is being reviewed. Christine indicates it is fine to brainstorm what you may want to see, but does not recommend she spend time drafting ordinances or having her office spend time until we are given specific direction from the system.

Anne Marie Rizzuto, Esq. recommends that maybe we are just prepared to try to set a schedule at the September meeting, but don't forget Ordinances should not be carried over from December to January, so if we are supposed to do it by March that means January and February. So it goes to Council, back to us, and then back to Council so that means 3 meetings, our meeting and 2 council meetings which is January/February. Yes, time is of the essence, but she does not want to have an audience and things being said that we will perhaps have to take back later. Most of this is going to be deliberation that you have to do in public; we are not going to be having that in closed session.

It is decided to add this workshop item back again in September and the Chair requests Christine provide an overlay zone map so we can see what we are talking about. There is a brief discussion of possibly setting up a subcommittee.

**Adjournment:**

Next scheduled meeting will be our **Regular Meeting on Thursday, August 21, 2025 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 Thomas J. Coan, moved and seconded by Dennis Mayer. All in favor. Meeting closed at 9:00 PM.

**Minutes submitted by Kristie Dickert, Board Secretary**