

**Bradley Beach Land Use Board
Regular Meeting Minutes
Meeting Held in Person at 701 Main Street
Thursday, April 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: Mayor Larry Fox, Councilperson Kristen Mahoney, Dennis Mayer, Robert Mehnert, William Psiuk, Kelly Reilly-Ierardi, Lauren Saracene, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, and Mary Pat Riordan

Absent: Liz Hernandez

Also Present: Michael Schaller, 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 March 21, 2024 –

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

Resolutions Memorialized:

Resolution 2024-09 – Approval of Bulk Variances for Addition & Driveway Expansion –

Donald & Mary Ann Greenberg – Block 16, Lot 8.01 – 302 Park Place

Applications Considered:

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. ****CARRIED TO THE 6/20/2024 MEETING WITHOUT FURTHER NOTICE BEING REQUIRED****

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. Applicant is represented by George D. McGill, Esq. ****CARRIED TO THE 6/20/2024 MEETING WITHOUT FURTHER NOTICE BEING REQUIRED****

LUB24/03 (Minor Subdivision with Bulk Variances for Existing Nonconformities) – 204 Beach Ave, LLC and John Naples – Block 66, Lots 2 & 27 – 110 Second Ave & 204 Beach Ave – The Applicants are proposing a minor subdivision of the two (2) existing lots. The proposed subdivision is removing land from the oversized Lot 27 and transferring the land to the undersized, nonconforming Lot 2. As part of the minor subdivision, the Applicant will remove the existing dwelling and site amenities existing on Lot 2 as well as remove the garage and a portion of the driveway on Lot 27.

****William Psiuk recuses himself from participating in this application****

Notice has been reviewed and found to be appropriate and the Board can accept jurisdiction.

Applicants are represented by Thomas J. Hirsch, Esq. who provides a brief summary of the proposal.

There are eight (8) existing nonconformities which will be removed as part of this application.

There are many positives resulting from this subdivision and there will be no exacerbation of any of the existing conditions.

John Naples – sworn in – owns the two (2) lots – Lot 27 is oversized proposing to create Lot 2.01 which is the area that currently contains the 4-car garage and a 2-story dwelling which are proposed to be removed along with some of the impervious coverage and a new conforming house is proposed to be built on the newly created lot.

It is asked what the existing nonconformities are. Mr. Naples outlines the existing nonconformities which will be removed, including lot area, depth, front yard setback, impervious coverage. Both lots will be oversized and conform to the zone.

The only existing nonconformity which is to remain is the front porch setback of the existing dwelling on Lot 27.

Chair Mayer states the Beach Ave lot will be cleared completely and the other home is remaining, but the existing garage structure will be removed.

Councilperson Kristen Mahoney asks if Mr. Naples is anticipating construction of another 2-family home? Mr. Naples indicates whatever can be built that is conforming to the Zone requirements.

Arianna Bocco asks about 112 Second Ave – and it is indicated it is currently being corrected.

Open to Public:

Gregory Printon – 205 Beach Avenue – sworn in – thinks this proposal is a plus and they are receiving more on-street parking in the area.

Thomas Hirsch, Esq. provides a summary and closing statement.

Based upon the application and testimony provided, Chair Dennis Mayer makes a motion to approve the application as presented, seconded by Robert Mehnert.

Those in Favor: Robert Mehnert, Kelly Reilly-Ierardi, Lauren Saracene, Councilperson Kristen Mahoney, Mayor Larry Fox, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, and Dennis Mayer

Those Absent: Liz Hernandez

Those Recused: William Psiuk

Those in Opposition: None.

Those Abstained: None.

LUB23/25 (Use Variance for Installation of Inground Pool) – John & Patricia Flynn – Block 37, Lot 41 – 214 Lareine Avenue – Applicants are seeking to relocate an existing shed and install an inground swimming pool. The property is located in the R-1 Residential Single-Family Zone; therefore, the existing two-family dwelling is not a permitted use, so the installation of a swimming pool is viewed as an expansion of the pre-existing, nonconforming use.

****William Psiuk returns, and Mayor Fox and Councilperson Mahoney are excused from participating in this application since it involves a Use Variance request****

John & Patricia Flynn – sworn in – they are the owners of 214 Lareine Avenue. Mr. Flynn indicates they wish to install an inground pool in the rear of their existing 2-family home. They did have an above-ground pool which has been removed. They both come from large families and the above-ground pool became very hazardous for the older members of the family as well as the smaller children navigating the ladder. Requests the Board consider that there was previously an above-ground pool there and there were no issues.

Christine Bell indicates that part of this application involves a Use Variance.

Mr. Flynn indicates they do not rent out the property as the 2nd unit is used for family visits only and they wish to keep the 2-family designation for future sale as it will be worth more and it was purchased as a 2-family.

Christine Bell asks if they feel this proposal has any negative impacts on the Master Plan or Zone Plan and it is indicated they do not feel there is a negative impact.

Jerry Freda indicates the pool equipment is supposed to be 15 feet from the house and it is currently proposed up against the home and a variance is required. The Applicant agrees to pull the equipment off of the house by 2 feet.

The current fence is solid board-on-board, and they are proposing to replace it with a 6-foot vinyl fence with a self-latching pool compliant gate.

A discussion takes place with regard to the current layout of the existing 2-family. It is indicated the 1st unit contains 5 bedrooms and the 2nd unit contains 3 bedrooms each having their own living space and kitchens.

The Board expresses concern with the future use of a 2-family house containing inground pool once the house is sold.

Mr. Flynn indicates the pool will be a maximum of 5 ½ feet deep.

****THE BOARD TAKES A BREAK AND RETURNS AT 7:28 PM ALL MEMBERS STILL PRESENT****

Mr. & Mrs. Flynn have agreed to change the designation of their home to a single-family and will deed restrict the house indicating that it must be converted to a single-family at the time of sale.

Open to Public for Questions & Comments: No members of the public appeared.

It is indicated there are two (2) minor variances being requested, one for the distance of the equipment to be 2 feet from the house and a screen – solid 6-foot-high fence to be provided. A deed restriction is required for the time of sale indicating either the first floor or second floor kitchen must be removed at the time of sale and there will be one single entrance with no interior doors separating the two (2) living areas.

Based upon the application, testimony provided, and concessions made, Chair Dennis Mayer makes a motion to approve the application with the deed conditions/restrictions and the two (2) minor variances, seconded by William Psiuk.

Those in Favor: Robert Mehnert, Kelly Reilly-Ierardi, Lauren Saracene, Deborah Bruynell, Arianna Bocco, Timothy Sexsmith, Mary Pat Riordan, William Psiuk, and Dennis Mayer

Those Absent: Liz Hernandez

Those Recused: None.

Those in Opposition: None.

Those Abstained: None.

Adjournment:

Next scheduled meeting will be our **Regular Meeting on Thursday, May 16, 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 7:39 PM.

Minutes submitted by Kristie Dickert, Board Secretary