

BOROUGH OF SURF CITY LAND USE BOARD
813 LONG BEACH BOULEVARD
July 26, 2017
7:00pm
MEETING MINUTES

The meeting was called to order, followed by a salute to the flag.

Roll call reflected the following members to be present: Peter Hartney, Sandra Klose, Alan Mannherz, John McMenemy, Fred Peters, Jaime Pitner, James Russell, Barbara Sedlacek, Emil TumSuden, & David Wright. Absent: Maurice Logue.

Also present: Board Engineer, Frank Little and Board Attorney, Kevin Quinlan.

The Open Public Meeting Statement was read by Chairman Hartney as follows: in compliance with the "Open Public Meetings Act" of the State of New Jersey adequate notice of this meeting of the Surf City Land Use Board was provided in the following manner:

- In the February 2, 2017 edition of the Beach Haven Times.
- In the July 14, 2017 edition of the Beach Haven Times.

A motion was made by Mr. Russell to approve the minutes from the June 28, 2017 meeting, seconded by Mrs. Klose.

Roll call vote: Chairman Hartney, Mrs. Klose, Mr. Mannherz, Mr. Peters, Mr. Pitner, Mr. Russell, Mrs. Sedlacek, Mr. TumSuden, & Mr. Wright. Abstain: Mr. McMenemy. Nays: none. Absent: Mr. Logue. The minutes were approved as presented.

A motion was made by Mr. Mannherz to carry the Shore Fire Grill Application to the September 27, 2017 meeting, seconded by Mrs. Sedlacek.

Roll call vote: Chairman Hartney, Mrs. Klose, Mr. Mannherz, Mr. McMenemy, Mr. Peters, Mr. Pitner, Mr. Russell, Mrs. Sedlacek, Mr. TumSuden, & Mr. Wright. Abstain: none. Nays: none. Absent: Mr. Logue. The application was approved to be carried to the September 27, 2017 meeting.

Docket 2016-01: SC North of block 6 lots 2, 3, & 5. The applicant, Enzo Pavese, was before the Board to request an amended preliminary & final site plan approval. The applicant had received a prior approval of the same, which is reflected in Resolution 2016-04. This prior approval had included a partial demo of the commercial property. A stop work order was placed on all of the aforementioned properties because a complete demo had taken place. Subsequently, Mr. Pavese filed action in lieu Prerogative Writ. Superior Court Judge, the Honorable Marlene Lynch Ford remanded the application back to the Land Use Board.

Counselor Lawrence Berger, attorney for the applicant, had requested to address the issue of the complete demolition. Mr. Pavese had stated that during the demolition he discovered that a masonry veneer was in place of what was initially thought to be a concrete block wall. The material behind the

veneer had been rotted. The intent would be to construct on the existing slab in accordance with Resolution 2016-04.

There was discussion regarding setbacks, lot coverage, signage and parking.

A motion was made by Mr. Russell to open the floor to public comment, seconded by Mr. Peters with a vote in the affirmative. The public present chose not to comment. A motion was made by Mr. Mannherz to close the floor to public comment, seconded by Mr. Russell with a vote in the affirmative.

Counselor Quinlan reviewed the matters to be resolved before the Board. There were no variances being requested or granted. All variances granted by Resolution 2106-04 are applicable. The Board would be considering an amended preliminary and final site plan approval.

A motion was made by Mr. Wright to approve the amended preliminary and final site plans, seconded by Mr. Peters. The application had been approved as presented. Roll call vote:

Chairman Hartney: Yes, the existing foundation is sufficient & the building will go in the existing foot print. While it cannot be counted, the parking on Division minimizes the parking insufficiency. This is a common practice among many properties throughout the Borough. It is an improvement in structure and appearance to what was there. There is no harm against the Ordinances in granting the variance.

Mrs. Klose: Yes, it looks really nice.

Vice Chairman Mannherz: Yes, for reasons mentioned by Mr. Hartney. The buildings are an aesthetic improvement and go along with the Borough Master Plan. It also fosters small business growth and creates local employment.

Mr. McMenamain: No, being the entire structure was demolished; the property should be brought into conformity.

Mr. Peters: Yes, based on previous positive remarks.

Mr. Russell: Yes, the condition of the structure will be improved.

Mrs. Sedlacek: Yes, for reasons previously stated. Also, it is an asset to our Master Plan.

Mr. TumSuden: Yes, what you have proposed will be an improvement to the community.

Mr. Wright: Yes, for previous stated reasons. Also, because of the amount of time it has taken to resolve this matter.

A motion was made to memorialize this decision by Mr. Wright, seconded by Mr. Russell. Roll call vote: Chairman Hartney, Mrs. Klose, Mr. Mannherz, Mr. McMenamain, Mr. Peters, Mr. Pitner, Mr. Russell, Mrs. Sedlacek, Mr. TumSuden, & Mr. Wright. Abstain: none. Nays: none. Absent: Mr. Logue. Resolution 2017-10 was approved for memorialization

A motion was made Mrs. Klose to pay the bills, seconded by Mrs. Sedlacek.

Roll call vote: Chairman Hartney, Mrs. Klose, Mr. Mannherz, Mr. Peters, Mr. Pitner, Mr. Russell, Mrs. Sedlacek, Mr. TumSuden, & Mr. Wright. Abstain: none. Nays: none. Absent: Mr. Logue & Mr. McMenamin. All bills were approved to be paid.

Mrs. Klose made a motion to adjourn, seconded by Mr. Peters with vote in the affirmative. The meeting was adjourned.

Respectfully Submitted,

Christine Hannemann

Land Use Board Clerk