

BOROUGH OF SURF CITY LAND USE BOARD

813 Long Beach Boulevard

February 28, 2024

7:00 pm

The meeting was called to order. Kevin Quinlan, Esq. administered the oath of office to John McMenamin and Richard Savianeso.

All present joined Chairman Hartney in saluting the Flag.

The following members were present: Peter Hartney, Gavin Hodgson, Paul Hoover Sandra Klose, Alan Mannherz, John McMenamin, James Russell, Richard Savianeso, David Wright, John Franzoni & Jaime Ryan. Absent: None.

The Board Engineer, Frank Little, Jr. was also present.

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 Board of Surf City Land Use Board has been provided to three newspapers & published in the February 1, 2024, edition of the Beach Haven Times.

Chairman Hartney also read the following statement: this meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Borough of Surf City Land Use Board may legally consider in reaching a decision. Decorum appropriate to a judicial hearing must be maintained all the time.

Mr. Russell moved to approve Resolution 2024-05. Mr. Mannherz seconded that motion. With a vote in the affirmative, the following resolution was approved.

WHEREAS, the Borough is in receipt of escrow bonds posted pertaining to professional fees, performance guarantees and inspection fees; and

WHEREAS, the Land Use Board Members have agreed with the recommendation that the professional invoices pertaining to the following listed applications have been received and all professional fees have been satisfied for the dockets listed below; and

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Surf City recommends that the following listed escrow bonds be released to the corresponding applicants with the balances to be released to the Borough of Surf City.

<u>Applicant</u>	<u>Type</u>	<u>Posted Amount</u>	<u>Amount to Applicant</u>	<u>Amount to Borough</u>
Anchor Trading Corps.	Professional	\$3,131.36	\$750.00	\$2,381.36

Roll call reflected the following in the affirmative: Mr. Hartney, Mr. Hodgson, Mr. Hoover Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Wright, Mr. Franzoni. Abstained: Mr. McMenammin, Mr. Savianeso & Mr. Ryan. Absent: None.

Mr. Hartney and Mr. McMenammin recused themselves from the remainder of the meeting due to the application being a “D” Variance.

Christopher Dasti, Esq. was present to represent Surf City Hotel, LLC of 800 N. Long Beach Boulevard, Block 30, Lots 15, 16, 17, 18, 19 & 20 for preliminary and final site plan approval. There was discussion in regards to the amount of fulltime and parttime employees hired throughout the summer.

Greg Gewirtz was sworn in as one of the owners. It was stated that they were permitted to have 24 outdoor seats on their “patio” until the pandemic. In 2021, started extended outdoor dining with the 24 dining seats. In 2022, added two large tents to the outdoor seating and bar area and that was continued until the end of 2023. The applicant stated that they are seeking the same outdoor seating approval that they had during the pandemic.

There were questions about the type of music being played in the outdoor section. It was stated by the applicant that they play acoustic music and through a stereo. The applicant stated that there is amplified acoustic music played Thursday to Sunday from 3:00 PM until 8:00 PM. He stated that they would like to keep the outdoor music the same as it had been. The applicant mentioned that his employees are local to the area and that they do not have any parking problems that he is aware of. He states that a majority of his employees and patrons to the restaurant ride bikes and walk.

Colleen Gerwitz was sworn in as one of the owners. She stated that there are 35 seats on the patio and can only seat 200 seats inside currently. She stated that there will be no more than 403 seats on the property at one time. She explained that there will not be any changes in the water and sewer or with the garbage pickup or location. She stated that there will also be no changes

to the signage on the building. She further mentioned that there are no more than 50 employees on location at one time.

Sara Jennings was sworn in as the applicant's architect. She explained that the applicant is seeking an open-air structure that has permanent wood frame structure with a removable canvas top. The structure would be 65ft 2in by 34ft, with the smaller width being on the East side. The applicant stated that there would be a 17ft bar located within the structure. It was further stated that they are asking to move 124 of their approved indoor seats to within the outside structure. The applicant explained that the outdoor structure will be made to withstand wind and storms and that there will be gutters installed for rain runoff. They stated that the roof is to be pitched toward 8th street, there will be gravel under the new structure and a barricade separating that area from the parking area.

Jim Brozowski was sworn in as the applicants engineer. He stated that the mixed-use property is 29,000sqft lot on the main road and that there are current non-conformities. He stated that the applicant is seeking to construct a 2,854sqft structure that encroaches the residential zone by 17ft, which is 1,251sqft. Mr. Brozowski stated that they would reduce the parking from 18 spaces to 12 spaces. He stated that they can mark the parking spaces with railway ties and the 12ft drive isle can be one way, with cars entering from 8th street and exiting on 9th street.

Mr. Wright moved to open public comment. Mr. Ryan seconded the motion. With a vote in the affirmative, public comment was open. The vote reflected the following ayes: Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Savianeso, Mr. Wright, Mr. Franzoni & Mr. Ryan. Abstained: None. Absent: None.

Robert Rue of 700 N. Long Beach Boulevard stated that he had concerns, stated there is no parking there now.

Margaret Illis of 22 N. 9th Street stated that people currently block her driveway and had concerns that it will get worse.

Timothy Moy of 31 N 8th Street stated that it would not be good for the town and to go back to pre-covid standards.

Matt Nichols of 1500 Long Beach Boulevard stated that outdoor dining has become very important since covid.

Leslie Bitman of 32 N. 8th Street stated that they should go back to pre-pandemic times with no amplified music.

Patricia Jones of 28 N. 10th Street stated that they need more parking spaces.

Jennifer Bitman of 32 N. 8th Street stated that have received complaints about noise and has concerns about the bar area outside.

Lauren Spain of 4000 Long Beach Boulevard stated that the outdoor bar area is where patrons want to go.

Florence Calise of 282 N. 5th Street stated that Surf City is losing many restaurants already and the outdoor area is convenient for after a beach day.

Todd Kostrub of 1719 Long Beach Boulevard stated that Surf City should keep the town to a lower intensity and density.

Bud Armstrong of 115 N. 11th Street stated that it is a beautiful hotel with a great outside area.

Casey Deacon of 266 N. 8th Street stated that the island has changed and people should support local businesses so they don't become houses.

Andy Clark of 709 N. Barnegat stated that businesses need outside dining and need to adjust in order to survive.

Anya Tomko of 27 N. 8th Street stated that she supports the expansion of the outdoor dining, but has concerns about the amplified music.

Michael Casey of 256 N. 11th Street stated that there are many people who enjoy going to the outdoor area there.

Kristy Raber of 342 N. 3rd Street stated that the hotel is a safe place.

Linda Albrach of 326 S. 2nd Street stated that the hotel has been there forever and things there are going to change.

Dustine Lau of 246 N. 4th Street stated that a new generation is coming in who want outdoor seating.

Jay Comisa of 36 N. 8th Street stated that he had concerns about the one-way traffic for the parking.

Mr. Russell moved to close public comment. Mrs. Klose seconded the motion. With a vote in the affirmative, public comment was open. The vote reflected the following ayes: The vote reflected the following ayes: Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Savianeso, Mr. Wright, Mr. Franzoni & Mr. Ryan. Abstained: None. Absent: None.

The applicant requested the case be carried to the next meeting.

Mrs. Klose moved to carry the application to the next Land Use Board meeting, March 27, 2024. Mr. Russell seconded the motion. Roll call reflected the following votes: Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Savianeso, Mr. Wright, Mr. Franzoni & Mr. Ryan.

Mr. Russell moved to approve the bills. Mr. Wright seconded the motion. Roll call reflected the following in favor: Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Savianeso, Mr. Wright, Mr. Franzoni & Mr. Ryan

Mr. Russell moved to adjourn the meeting. Mr. Hodgson seconded the motion. With a vote in the affirmative, the meeting was adjourned. Roll call reflected the following in favor: Mr.

Hodgson, Mr. Hoover, Mrs. Klose, Mr. Mannherz, Mr. Russell, Mr. Savianeso, Mr. Wright, Mr. Franzoni & Mr. Ryan

Respectfully submitted,

A handwritten signature in cursive script that reads "Jenna Letts". The ink is dark and the handwriting is fluid and legible.

Jenna Letts

Land Use Board Clerk