

BOROUGH OF SURF CITY LAND USE BOARD  
813 Long Beach Boulevard  
June 22, 2022  
7:00 pm

The meeting was called to order. Kevin Quinlan, Esq. administered the oath of office to Jaime Ryan. All present joined Chairman Hartney in saluting the Flag.

Roll call reflected the following in the affirmative: Peter Hartney, Gavin Hodgson, Paul Hoover, Sandra Klose, Jaime Ryan, James Russell, Richard Savianeso, Emil TumSuden, George Wachter & David Wright. Absent: Allen Mannherz.

The Board Engineer, Frank Little, Jr. and the Board Attorney, Kevin Quinlan, were 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 January 13, 2022, 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 the April 27, 2022 regular meeting minutes. Mr. Hoover seconded the motion. With a vote in the affirmative, the minutes were approved.

Roll call reflected the following in the affirmative: Mr. Hartney, Mr. Hoover, Mr. Ryan, Mr. Russell, Mr. Savianeso, Mr. Wachter & Mr. Wright. Nays: none. Abstained: Mr. Hodgson, Mrs. Klose & Mr. TumSuden Absent: Mr. Mannherz.

Mr. Hartney noted that a CAFRA permit application for Barnegat Way, LLC of 366 N. 7<sup>th</sup> Street, Block 103, Lots 28 & 28.01 is available at the Municipal Building for public view.

James Raban, Esq. was present to represent Ronald and Maureen Witt of 1807 Ocean Avenue, Block 50, Lot 2 seeking relief of the front yard setback. There was discussion in regards to the current duplex home being demolished to construct a single-family home.

Mr. Raban stated that the existing home is currently over the building line. He noted that the new construction will require 3 parking spaces. It was asked for by the applicant that parking can be added on the already depressed curb.

Mr. Brzozowski was sworn in as the applicants engineer. He stated that the current dwelling is a duplex on Ocean Terrace. He explained that only 50x60 feet of the property is buildable due to the building lines. Mr. Brzozowski noted that the proposed deck will go beyond the front yard setback by 9.8 feet.

Mr. Raban stated that the applicant will be seeking a variance for the depressed curbing for an additional parking space.

Mr. Hartney questioned the number of bedrooms being proposed. It was stated by Mr. Brzozowski that there are going to be 5 bedrooms, whereas the current structure has 6. Mr. Hartney noted that the applicant's front yard is the oceanside and Ocean Terrace is the backyard. Mr. Brzozowski explained that 10 feet is required in the back, where they currently only have 5.5 feet in the back and they are proposing 10 feet. Mr. Hartney further explained that the property line was moved in 2016, and is consistent throughout the Borough.

Mr. Quinlan questioned if there were any areas surrounding the property the applicant could build on. Mr. Brzozowski explained that the property is an ocean front with neighboring homes on either side and there is no space available to build on. Mr. Hartney questioned if the proposed construction would meet flood elevation. Mr. Brzozowski stated that the proposed would meet flood elevation. Mr. Hartney asked about the number of parking spaces on the South side of the property. Mr. Brzozowski explained that there would most likely be two spaces with 2 garage spaces, having 4 spaces in total, with 1 parking stop. Mr. Witt stated that there will be 5 outside showers.

Mr. Quinlan stated that the curbing will be a waiver, not a variance request. Mr. Witt stated that there is no current curb, that there is currently stone across the entire front of the property. Mr. Hartney noted that there is no elevation presented on the proposed drawings. Mr. Raban stated that they will conform to the 35-foot requirement.

Mr. Wright moved to open public comment. Mr. Russell seconded the motion. With a vote in the affirmative, public comment was open. The vote reflected the following ayes: Mr. Hartney, Mr. Hoover, Mrs. Klose, Mr. Ryan, Mr. Russell, Mr. Savianeso, Mr. TumSuden, Mr. Wachter & Mr. Wright. Absent: Mr. Mannherz.

It was noted that Mr. Hodgson recused himself.

Gavin Hodgson of 229 S. 2<sup>nd</sup> Street made note that they are getting rid of the duplex, making the street wider, that there will be a single-family home and that it is a good application.

Mr. TumSuden moved to close public comment. Mr. Wachter 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. Hartney, Mr. Hoover, Mrs. Klose, Mr. Ryan, Mr. Russell, Mr. Savianeso, Mr. TumSuden, Mr. Wachter & Mr. Wright. Absent: Mr. Mannherz.

Mr. Wright moved to approve the application. Mr. Hoover seconded the motion. Roll call reflected the following votes:

Mr. Hartney: I vote no on the motion to approve this application. While it does, as it has been testified by Mr. Raban, move an existing non-conformity, it increases the non-conformity of the property over the building line by 2 feet. Also, the building line was moved forward, and it is consistent with the building line throughout the Borough, therefore does not create a unique hardship upon this property. And so, I vote no.

Mr. Hoover: I vote yes. I really don't see any reason to not approve. In my opinion, we are going from a duplex to a single-family home. As we have heard here this evening, there's a lot of positive points to this. I vote yes.

Mrs. Klose: I look at this house and I am so glad it is coming down. I don't think there is really way we could say no, because he has all of this property next to it. I am going to go with a yes, times are changing.

Mr. Ryan: I'm going to vote no. the reason why, I feel like property development is great. I am concerned about the dunes. I also live on Ocean Terrace and Ocean Avenue, and I am concerned more presidents that are set about going into the dunes, it is going to eliminate part of the dunes. Cutting into it throughout the island. My two big concerns were parking, which was addressed with the parking spaces, but the dunes, going into the dunes is what concerns me. The amount that is going into this house, it could be reconfigured to not go passed the building line.

Mr. Russell: I think as Gavin put it so beautifully, I have to vote yes on this. I say yes, go for it.

Mr. Savianeso: I agree, I am going to vote yes. My first concern was parking, but I think he has addressed it. I vote yes.

Mr. TumSuden: I vote no. The Mayor and Council passed the ordinances, laws and building code lines and this is going to exceed them. I don't see a justification for going over them, so I vote no.

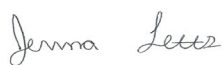
Mr. Wachter: I vote yes, I think the positives out way the negatives.

Mr. Wright: I voted to approve it; I think the positive aspects for the whole project far out ways what's there. Everything is in a really good direction. Definitely yes.

Mr. Russell moved to approve the bills. Mrs. Klose seconded the motion. With a vote in the affirmative, the bills were approved to be paid. With a vote in the affirmative, public comment was closed. The vote reflected the following ayes: Mr. Hartney, Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Ryan, Mr. Russell, Mr. Savianeso, Mr. TumSuden, Mr. Wachter & Mr. Wright. Absent: Mr. Mannherz.

Mrs. Klose moved to adjourn the meeting. Mr. Russell seconded the motion. With a vote in the affirmative, the meeting was adjourned. With a vote in the affirmative, public comment was closed. The vote reflected the following ayes: Mr. Hartney, Mr. Hodgson, Mr. Hoover, Mrs. Klose, Mr. Ryan, Mr. Russell, Mr. Savianeso, Mr. TumSuden, Mr. Wachter & Mr. Wright. Absent: Mr. Mannherz.

Respectfully submitted,



Jenna Letts

Land Use Board Clerk