

BOROUGH OF SURF CITY LAND USE BOARD

813 Long Beach Boulevard

October 25, 2023

7:00 pm

Chairman Peter Hartney called the meeting to order, all present joined him in a salute to the Flag.

The following members were present: Peter Hartney, Paul Hoover, Alan Mannherz, James Russell, John Franzoni & Jaime Ryan. Absent: Gavin Hodgson, Sandy Klose, Richard Savianeso, George Wachter & David Wright.

The Open Public Meeting Statement was read by Chairman Peter 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 2, 2023 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. Mannherz moved to approve the September 27, 2023 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. Mannherz, Mr. Russell & Mr. Franzoni. Abstained: Mr. Ryan. Absent: Mr. Hodgson, Mrs. Klose, Mr. Savianeso, Mr. Wachter & Mr. Wright.

Mr. Russell moved to approve Resolution 2023-12. Mr. Mannherz seconded that motion. With a vote in the affirmative, the following resolution was approved.

WHEREAS, on April 11, 2023, North Beach Acquisitions, LLC of 1500 Long Beach Boulevard, Block 42, Lots 21, 22, 23 & 24 applied for relief of the front yard setback to the Land Use Board of the Borough of Surf City and

WHEREAS, on April 19, 2023, Frank Little, P.E. deemed the application incomplete pending the submission of a map of the survey, special reasons/ "D" variance for the proposed outdoor tiki bar, the proposed stage, and the combined Residential and Commercial use; and

WHEREAS, the following items were deficient architectural drawings, address the onsite improvements involving the proposed bike rake and planters and confirm the existing ice storage and air conditioning unit, site use, onsite parking, refuse enclosures, signage, lighting, operating hours, and vision clearance; and

WHEREAS, the application was never supplemented such that it could be deemed complete and

WHEREAS, the Board finds that Court Rule 1:13-7(a) applies such that the Board shall have the authority to dismiss, without prejudice, the Applicants' pending application and

NOW, THEREFORE, BE IT RESOLVED, by the Land Use Board of Surf City, that application 23-01 be dismissed.

Roll call reflected the following in the affirmative: Mr. Hartney, Mr. Hoover, Mr. Mannherz, Mr. Russell, Mr. Franzoni & Mr. Ryan. Absent: Mr. Hodgson, Mrs. Klose, Mr. Savianeso, Mr. Wachter & Mr. Wright.

Mr. Russell moved to approve Resolution 2023-13. Mr. Hoover seconded that motion. With a vote in the affirmative, the following resolution was approved.

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6, is the law of the State of New Jersey providing for adequate public notice to be given for meetings of the Land Use Board of the Borough of Surf City; and

BE IT RESOLVED, by the Land Use Board of the Borough of Surf City that the Municipal Clerk be authorized and directed to proceed with providing adequate notice of the reorganization meeting and the first regular meeting of the year to be held on January 24, 2024 at 7:00 P.M.

Roll call reflected the following in the affirmative: Mr. Hartney, Mr. Hoover, Mr. Mannherz, Mr. Russell, Mr. Franzoni & Mr. Ryan. Absent: Mr. Hodgson, Mrs. Klose, Mr. Savianeso, Mr. Wachter & Mr. Wright.

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

Mr. Russell moved to adjourn the meeting. Mr. Hoover seconded the motion. With a vote in the affirmative, the meeting was adjourned. Roll call reflected the following in favor Mr. Hartney, Mr. Hoover, Mr. Mannherz, Mr. Russell, Mr. Franzoni & Mr. Ryan. Absent: Mr. Hodgson, Mrs. Klose, Mr. Savianeso, Mr. Wachter & Mr. Wright.

Respectfully submitted,



Jenna Letts

Land Use Board Clerk

