

BOROUGH OF SURF CITY LAND USE BOARD
813 Long Beach Boulevard
April 29, 2026
3:00 pm

Chairman Mannherz called the meeting to order.

The Open Public Meeting Statement was read by Chairman Mannherz, 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 9, 2026, edition of the Asbury Park Press.

All members present joined Chairman Mannherz in saluting the flag.

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

The Board Engineer, Frank Little, Jr., and The Board Conflict Attorney Joseph Coronato, Sr., Esq. were also present.

Chairman Mannherz 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 at all times.

Before the next order of business proceeded Mr. Galvin, Esq. objected to proceeding due to conflict of interest. In Mr. Galvin, Esq. opinion Mr. Hartney, Mr. DeBenedetto, Frank Little, Jr., and Mr. Costabile are in conflict with this application due to their ties with the town of Surf City. They are all in a position to act with the best intentions for the Borough of Surf City. Joseph Coronato, Sr., Esq. noted the objection for the record. Mr. Gasiorowski, Esq. also objected to proceeding due to the owner of the easement does not consent to the application. The owner of the easement should be part of the application. Joseph Coronato, Sr., Esq. noted the objection for the record.

Old business started with the Ziman Development, Inc. of 258 N. 23rd Street, appearing as ordered by the Superior Court. The case continued at public comment.

Joseph Vince, licensed engineer, was called to testify by Mr. Gasiorowski, Esq. and sworn in. Mr. Vince testified that he was hired to look at the application and make an independent decision. He believes the property is non-conforming, there is a need for a variance and no permit should have been issued. Mr. Vince also agrees the owner of the easement should be part of this application. He has great concerns for this property and feels its detrimental. Mr. Vince feels the board has the right to vote on the size of the house to secure safety if a fire broke out. As well as there is only a small easement that allows this property to attach to the street.

Mr. Raban, Esq. and Mr. Galvin, Esq both had questions for Mr. Vince. Exhibit H9 entered. The Land Use Board also has questions for Mr. Vince. Some of which was Mr. Hartney discussed the 1922 deed and if the easement was mentioned. But on the 1971 deed the easement is included which means it pre-dates Land Use law and municipal law. Mr. Little, Jr agreed the easement does provide access to the street. Mr. Wright questioned easement change. Mr. Coronato, Sr., Esq. explained property rights of an easement is determined by the court. Mr. Ryan discussed 3 separate lots and the setbacks.

At 5:00pm there was a 10-minute break.

Mr. Raban, Esq. stated that his client Mr. Ziman has already decided that he will be installing sprinkler systems and a dry hydrant to his property.

Mr. Ryan moved to open public questions to the license engineer. Mr. Hartney seconded the motion. All present were in favor; the public questions were opened.

Russell Malta had questions for Mr. Vince. He asked about the negative impact, cars coming off the property, parking, frontage and bulkhead.

Mr. Wright moved to close public questions to the license engineer. Mr. Ryan seconded the motion. All present were in favor; the public questions were closed.

Mr. Galvin, Esq. gave his closing statement. In his opinion when the structure was demolished all grandfathered clauses go away. Mr. Ziman should have come to the Land Use Board instead of receiving a permit. The negative impact of this structure should be considered. The building should be smaller, the deck is huge and there are many questions if there were to be a fire. Mr. Galvin also feels there is a conflict of interest between board members and also people that have testified for Mr. Raban, Esq. that are employed by the Borough of Surf City. Mr. Galvin, Esq. is a teacher of ethics and believes this application should be done over.

Mr. Gasiorowski, Esq., gave his closing statement. He fully agreed with Mr. Galvin, Esq.. He said Mr. Galvin, Esq. is a student of the law. The easement was created when times were different. His client should be on the application. Mr. Gasiorowski, Esq. believes there will be over use of the easement.

Mr. Raban, Esq. gave his closing statements. He stated the easement is from 1971 and it allows the property to abut the street. The fire department of Surf City know how to handle a fire within the town. Also, his client is installing sprinklers in the home and adding a dry hydrant on the property. Mr. Raban, Esq. restated this application is three lots, so the house may be larger than surrounding homes but the lot coverage is within its limits. This house will have a 5-car garage to help with parking. The hotel/motel question, he believes, does not apply. The definition is based off of interpretation. Mr. Raban, Esq. wanted to also state that he does not believe there is any conflict of interest with the Land Use Board and voting.

Mr. Ryan moved to approve a variance is unnecessary. Mr. Hartney seconded the motion. Roll call reflected the following in the affirmative: Mr. Mannherz, Mr. DeBenedetto, Mr. Hartney, Mr. Russell, and Mr. Ryan. Abstain: Mr. Wright
Application was approved for no variance needed.

Mr. Hartney moved to adjourn the meeting. Mr. Russell seconded the motion. All present were in favor; the meeting was adjourned.

Respectfully submitted,

Cathy Richter
Administrative Assistant