

BOROUGH OF PINE BEACH
 LAND USE BOARD
 REGULAR MEETING MINUTES
 May 21, 2024

The Pine Beach Land Use Board held a meeting on May 21, 2024 in the Municipal Building, 599 Pennsylvania Ave., at 7:30pm. Mrs. Lill called the meeting to order and read the Opening Statement: In compliance with the Open Meeting Law, P.L. 1975 C231, the notice of this meeting was sent to our official newspapers, the Asbury Park Press and the Star Ledger, and also posted on the bulletin board at the Pine Beach Municipal Building and the Pine Beach Post Office. The statement shall become a part of the official minutes of this meeting.

This meeting is a judicial proceeding. Any comments or questions must be limited to issues that are relevant to what the board may legally consider in reaching a decision; and decorum appropriate to a judicial hearing must be maintained at all times.

Mrs. Lill led the Flag Salute.

Attendance/Roll Call:

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Present	Present	Present	Present	Present
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
Present	Present	Present	Absent	Present

Approval of Minutes

Mr. Wieck makes a motion to approve the minutes from the March 19, 2024 meeting as submitted, seconded by Mrs. Saxton. No comments from the board or public. Mrs. McDonnell and Mr. Slickers abstain due to their absence March 19th.

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Yes	Yes	Abstain	Yes(second)	Abstain
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
Yes(motion)	Yes	Yes	Absent	yes

New Business

Hearing: Steve Ciccariello- 201 Radnor Ave. Block 92 x Lots 1&1.02

Variance for side setback and rear setback to accommodate a neighbor behind him. Seeking shed for yard tools and bikes for family.

William B. Morris, Esq.
 1869 Route 88 East, Unit 3
 Brick, NJ 08724

Mr. Ciccariello is sworn in.

Mr. Brian Murphy, PE, P.P, C.M.E. is sworn in as expert witness for applicant.

The applicant testified to the existing conditions of the property and the location of the proposed shed. The subject property consists of a significant amount of riparian area, with a limited amount of upland. The proposed shed will provide additional storage space, as well as woodwork workspace, and the existing shed on the property will be removed. The applicant’s engineer, Brian Murphy, PE, PP, testified that the property presents a C-1 hardship as well as a C-2 better zoning alternative (providing better light, air & open space). Upon discussions with the applicant’s neighbor to the south, represented by Steven Secare Esq., the application was amended to propose a 6ft side yard setback and a 3ft rear yard

setback, with a shed that is 12ft wide, 16ft long & 12ft high, rather than the originally proposed shed that was 14ft wide, 20ft long & 15ft high. The testimony asserted that the applicant's proposal is in keeping with the area, and the granting of the variance would not be detrimental to the public good. Applicant submits materials at time of hearing for the board, these are labeled as the following:

A-1 aerial color from 5/21, A-2 is the view from neighbor, A-3 is view from reverse, A-4 is the south view, A-5 is south toward home, A-6 east view. Applicant shows on survey where the 14x20 structure will be placed. The applicant intends to run electric to the shed.

Mrs. Saxton states there is a shed on the property and asks applicants if this is intended to stay. Mr. Ciccariello states if this gets approval he will be removed.

Steven Secare, Esq. representing owner of 218 Huntington Ave.

Mr. Secare expresses that having this large of a structure close to his home with electric and a potential woodwork shop is a detriment to the neighborhood.

Mr. Ciccariello states that he cannot locate the shed anywhere else. The yard starts to significantly slope towards the water.

Mr. Rohmeyer reads his letter for the record. In summary, the subject property is located on Radnor Avenue approximately 450 ft west of the intersection of Radnor Avenue & Motor Road and lies within the R-75 (Single Family Dwellings - Medium Density Residential) Zone. The lot is currently developed as a 2 Story SFD, with an existing porch, stone driveway, concrete patio, and walkway. The applicant is proposing to construct a detached shed which will require bulk variances for accessory building structure side and rear yard setbacks. Variance requested for Accessory Structure side yard setback – where 10 feet is required, and 3 feet is proposed to shed. And for rear yard Setback – where 10 feet is required, and 3 feet is proposed to shed. Mr. Rohmeyer asks for the accuracy and the completeness of the survey to the applicant's engineer; Mr. Murphy responds the survey is accurate, minus the temporary shed on the property. Riparian grant is the only easement noted on the property and due to the size of the structure, it must conform with the 10ft side and rear yard setbacks. Mr. Rohmeyer notes that testimony appealing the location from one neighbor has been heard tonight.

Mr. Brady goes over the existing non-conformities of the property. Applicant states that these non-conformities are original to the home built in the 40s.

Mr. Murphy testified that the hardships, usable area and the C2 criteria testifies to the impact of the adjacent owner's view.

Mrs. Saxton expresses that this hardship would not exist with a smaller shed and move it to a conforming location.

Mayor Cuneo makes a motion to open hearing for public comment, seconded by Mrs. Saxton.

Mr. Ronald Vigliotti - 203 Radnor Ave.

12x16 smaller 190sqft if he wasn't running electric he wouldn't need a building permit. Mr. Rohmeyer confirms the height is measured from the surrounding grade of the structure.

Hearing no other comments from the public Mr. Wieck makes a motion to close public portion seconded by Mrs. Saxton.

Mr. Slickers asks the applicant to make a summary of the discussion of the neighbor. The applicant states he spoke with Ron Vigliotti about preserving his view and 3ft off his yard, amended to be lined up to his fence post at 6ft. The applicant was not aware of the neighbor not satisfied with the plans.

Mr. Higham attached garage in town that conforms with the 10ft setbacks. Discussion about the neighbors and being friendly, why wouldn't you reduce the size of the garage? Applicant states due to

the amount of equipment. Mr. Higham asks the applicant to state what he feels the hardship is, Mr. Morris responds that the applicant agrees to the testimony given by Mr. Murphy.

Mayor Cuneo makes a motion for approval of variance for twelve by sixteen-foot structure with three foot eastern and 3ft southern with a max height of twelve feet. Motion is seconded by Mr. Slickers.

Roll Call Vote:

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
No(motion)	No	No	No	Yes(second)
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
No	No	Yes	absent	Yes

Resolution 2024-06 LOMBOK LLC - 412 New Jersey Ave. Block 43 Lots 5-10 application for minor subdivision with variances

Mayor Cuneo asks about item 2 about partial and complete renovations. Mr. Brady agrees to add on to item 9 no additional square footage and change of footprint without future board approval per the applicants agreement.

Mayor Cuneo makes a motion to approve the resolution, seconded by Mr. Higham.

Roll Call Vote:

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Yes(motion)	Yes(second)	not eligible	not eligible	not eligible
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
not eligible	Yes	Yes	absent	not eligible

Resolution 2024-07 Brian & Kelly Murphy - 916 Lincoln Ave. Block 10 Lots 16&18 application for attached garage addition with bulk variances Mayor Cuneo makes a motion to approve resolution, seconded by Mr. Higham.

Roll Call Vote:

Mayor Cuneo	Mr. Higham	Mrs. McDonnell	Mrs. Saxton	Mr. Slickers
Yes(motion)	Yes(second)	not eligible	Yes	not eligible
Mr. Wieck	Mrs. Wnek	Mrs. Lill	Mr. Vega (Alt.)	Mr. Zisa (Alt.)
not eligible	Yes	not eligible	absent	not eligible

Old Business

Mrs. Lill thanks the professionals, Mrs. Saxton, Mrs. Wnek, and the zoning officer for their reflection on the matter of detached structures in Pine Beach. Two story buildings going up as detached structures but connected by breezeway. The small committee is looking to limit the number of these dwellings and their regulations. Discussion is had on the boards recommendations to be made to Council.

Vouchers for payment

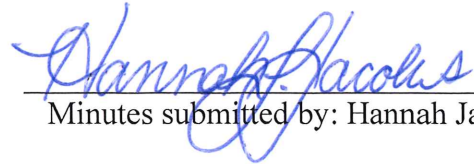
Mr. Higham makes a motion to pay vouchers for the total sum of \$3,770.00, pending funds available, seconded by Mr. Zisa, all are in favor.

Public Portion

Mayor Cuneo makes a motion to open to public comments, seconded by Mrs. Saxton, hearing none Mr. Wieck makes a motion to close the public comment portion, seconded by Mrs. Wnek.

Adjournment

Mrs. Saxton makes a motion to adjourn the meeting, seconded Mr. Higham. All are in favor, no opposition.



Minutes submitted by: Hannah Jacobus