

BOROUGH OF PINE BEACH
 LAND USE BOARD
 REGULAR MEETING MINUTES
 September 19, 2023

The Pine Beach Land Use Board held a meeting on September 19, 2023 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:

<u>Mayor Cuneo</u>	<u>Mr. Higham</u>	<u>Mrs. McDonnell</u>	<u>Mrs. Saxton</u>	<u>Mr. Slickers</u>
present	absent	absent	present	present
<u>Mr. Wieck</u>	<u>Mrs. Wnek</u>	<u>Mr. Vega (Alt.)</u>	<u>Mr. Zisa (Alt.)</u>	<u>Mrs. Lill</u>
present	present	absent	present	present

Also present are Board Attorney, Mr. Terry Brady and Board Engineer, Mr. Ray Savacool

Approval of Minutes:

Mr. Slickers makes a motion to approve the August 15, 2023 LUB minutes as submitted, motion seconded by Mrs. Saxton.

<u>Mayor Cuneo</u>	<u>Mr. Higham</u>	<u>Mrs. McDonnell</u>	<u>Mrs. Saxton</u>	<u>Mr. Slickers</u>
yes	absent	absent	yes(second)	Yes(motion)
<u>Mr. Wieck</u>	<u>Mrs. Wnek</u>	<u>Mr. Vega (Alt.)</u>	<u>Mr. Zisa (Alt.)</u>	<u>Mrs. Lill</u>
yes	abstain	absent	yes	yes

New Business:

Variance application hearing - Anderson, Block 68 Lots 4-6, 706 Motor Rd.

Mr. Brad Anderson of 706 Motor Rd is sworn in by Mr. Brady.

Mr. Anderson continues that the variance they seek is for a proposed addition in the rear of the home. Currently the property is occupied by a deck that will be enclosed in and converted into the Primary bedroom. Addition will have a second story with raised ceilings for ventilation. Mr. Anderson expresses that this was his parents’ home before his and would love to stay in Pine Beach.

Mr. Savacool reads the engineer’s letter on the record. The subject property is located on Motor Road approximately 100 ft north of the intersection of Motor Road & Pennsylvania Avenue and lies within the R-75 (Single Family Dwellings - Medium Density Residential) Zone. The lot is currently developed as a 1-1/2 Story SFD, with an attached garage, concrete walkway, concrete patio, and an asphalt driveway. The applicant is proposing to construct a second story addition which will require a bulk variance for setback and height.

RELIEF REQUIRED Variance(s)

1. Minimum Side yard Setback – where 10 feet is required, and 7.96 feet is proposed between the proposed 2nd story addition and the side yard property line to the south. (#175-57 Schedule, Attachment 5)

2. Minimum Combined Side Yard Setback – where 20 feet is required, and 17.80 feet is proposed. (#175-57 Schedule, Attachment 5)

3. Maximum Building Height – 25 feet is permitted, and 25.8 ft is proposed.

Mr. Savacool continues asking if there are drainage concerns at the property, Mr. Anderson responds one low spot in rear but existing grade is to remain.

Mr. Savacool continues that the proposed off-street parking is sufficient for the 5-bedroom home. A 40ft driveway with garage meets the standards. Mr. Savacool asks the homeowner if they believe there is a hardship, Mr. Anderson expresses yes, due to the side yard setback. The property is three lots and homeowners would be willing to consolidate if the board requires it.

Ms. Alexander Kupez of 706 Motor Rd., is sworn in by Mr. Brady.

Ms. Kupez details the addition to be two bedrooms upstairs, height will increase. The upstairs is proposed to have three total bedrooms and three bathrooms. Currently the style of the home is a cape making the upstairs a tight space that cannot fit furniture making it unlivable.

Mrs. Lill asks Ms. Kupez what the ceiling height is on the first floor and if it is to remain.

Mrs. Wnek reads the height provided on the architectural of 8.1” and Ms. Kupez expresses it is to remain the same as existing. The second story height will be 8.8”

Mrs. Lill asks if the architectural plans can be modified to make the slope more relaxed so they would be in compliance with the height.

Mr. Savacool asks Mr. Anderson if the attic will have any livable space. Mr. Anderson responds new proposed attic space is not habitable.

Mr. Slickers mentions that the outline for zoning requirements submitted by the architect has the only variances needed. The other non-complaint setbacks exist.

Ms. Kupez responds yes, and the plans submitted are by the architect, the roof slope was based off his design.

Mrs. Lill asked them to provide testimony on the air-light and open space of the property.

Ms. Kupez expresses that they own the adjacent lot of 701 Motor Rd..

Mrs. Wnek moves to A3 diagram submitted by applicant showing the plan for the upstairs. Mrs. Wnek asks how many bedrooms.

Ms. Kupez states current two bedrooms are proposed to be four bedrooms.

Mr. Savacool explains that the plans proposed expand on a non-conformity.

Mayor Cuneo makes a motion to open it to public comment, seconded by Mr. Slickers. No public comments are heard. Mayor Cuneo makes a motion to close public comment, seconded by Mrs. Wnek.

Mr. Savacool proposes that regarding the height variance, the applicant has the option to carry the application and consult with their architect.

A Motion is made by Mayor Cuneo to carry application to the October 17th meeting, motion is seconded by Mrs. Saxton. Mr. Brady adds that new notice is not required as the announcement at the meeting is sufficient.

<u>Mayor Cuneo</u>	<u>Mr. Higham</u>	<u>Mrs. McDonnell</u>	<u>Mrs. Saxton</u>	<u>Mr. Slickers</u>
Yes(motion)	absent	absent	Yes(second)	yes
<u>Mr. Wieck</u>	<u>Mrs. Wnek</u>	<u>Mr. Vega (Alt.)</u>	<u>Mr. Zisa (Alt.)</u>	<u>Mrs. Lill</u>
yes	yes	absent	yes	yes

Old Business:

Resolution 2023-08, Borough of Pine Beach, Block 3.01 Lot 1 for Ocean County Mill Creek Rail Trail

Mayor Cuneo makes a motion to approve the resolution as written, seconded by Mr. Slickers.

<u>Mayor Cuneo</u>	<u>Mr. Higham</u>	<u>Mrs. McDonnell</u>	<u>Mrs. Saxton</u>	<u>Mr. Slickers</u>
Yes(motion)	absent	absent	yes	Yes(second)
<u>Mr. Wieck</u>	<u>Mrs. Wnek</u>	<u>Mr. Vega (Alt.)</u>	<u>Mr. Zisa (Alt.)</u>	<u>Mrs. Lill</u>
yes	yes	absent	yes	yes

A continuation of discussion about the proposed Ordinance change for detached structures is had. The Mayor suggests a small committee to discuss and bring the changes to the board with the re-defined definitions. Mrs. Saxton, Mrs. Lill, Mrs. Wnek all agree to meet with the Zoning Officer to discuss the details.

Vouchers for Payment:

Vouchers to be paid: \$3,352

Mrs. Saxton makes a motion to pay vouchers pending funds, seconded by Mr. Wieck. All are in favor.

Public Portion:

Mayor Cuneo makes a motion to open the meeting to public portion, seconded by Mrs. Wnek. All are in favor.

Hearing no public comment, Mayor Cuneo makes a motion to close public portion, seconded by Mrs. Saxton, all in favor.

Adjournment:

A motion was made to adjourn the meeting by Mayor Cuneo, motion seconded by Mrs. Saxton.

Hannah Jacobus
Recording Secretary