

**BOROUGH OF PINE BEACH
LAND USE BOARD
REGULAR MEETING
September 2, 2021**

The Land Use Board for the Borough of Pine Beach held a regularly scheduled meeting on September 2nd, 2021 at 7:30 pm in the Municipal Building, 599 Pennsylvania Ave. Chairperson, Mrs. Lill, called the meeting to order and led all in a flag salute. She then read the opening statement:

1. 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.

1. Flag Salute

2. Roll Call: Mayor Cuneo ~~Mr. Budes~~_(Absent) ~~Mr. Higham~~_(Absent) ~~Mr. Keesling~~_(Absent)
~~Mr. Pierson~~_(Absent) Mrs. Saxton Mr. Slickers Mrs. Stone
Mrs. Wnek Mrs. Lill

3. Approval of Minutes

A motion was made by Mrs. Saxton and seconded by Mrs. Stone for approval of the August 5, 2021 meeting minutes.

~~Mayor Cuneo~~_(Absent 8/5) ~~Mr. Budes~~_(Absent) ~~Mr. Higham~~_(Absent) ~~Mr. Keesling~~_(Absent)
~~Mr. Pierson~~_(Absent 8/5) Mrs. Saxton _(Yes) Mr. Slickers _(Yes) Mrs. Stone _(Yes)
Mrs. Wnek _(Yes) Mrs. Lill _(Yes)

4. Old Business

No old business was heard.

5. New Business

Application for variance:
105 New Jersey Ave.
Block: 62 Lots: 28&30
Kyle & Natalie Slickers

Mrs. Lill asked Mr. Slickers the board member if he was related to the applicants. He recused himself from the hearing. Mr. E. Slickers left the meeting room. Mr. Eugene Kyle Slickers of 105 New Jersey Ave. was sworn in on the record by Mr. Reid.

Mr. Rohmeyer, land use engineer read the following summary:

The subject property is a corner lot, located on the northwest corner of the intersection of New Jersey Avenue & Lincoln Avenue, and lies within the R-75 (Single Family Dwellings - Medium Density Residential) Zone. The lot contains a 1-story SFD, detached garage, shed, gravel driveway, and concrete walkways.

The applicant is requesting a variance to construct additions to the existing dwelling and detached garage. Bulk variances are required for setbacks and building lot coverage. Note: Corner lots contain “front yards” along both streets, and the remaining yards are considered “side yards” per definitions section #175-6.

1. Variances required for this application:

- a. Front Yard Setback – where 25 feet is required, and 8.5 feet is proposed to the front porch roof addition (#175-57 Schedule). *Note: there is a proposed 9.5 ft. setback to the proposed porch deck, however the roof overhangs an additional 1 ft. towards the property line.*

- b. Side Yard Setback Accessory Structure – where 10 feet is required, and 7.3 feet is proposed to the detached garage with proposed addition. (#175-57 Schedule)

Note: Sheds less than or equal to 120 square feet have a minimum side/rear setback of 2 feet.

c. Building Lot Coverage – where up to 25% is permitted, the Applicant is proposing 29% with existing buildings and proposed additions (#175-57 Schedule).

2. Waivers required: None

3. The Applicant must provide testimony, acceptable to the Board, to substantiate that the relief requested may be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zoning Plan or Zoning Ordinance. *Applicant shall demonstrate the need for the variance being requested along with all positive and negative impacts of the proposed.*

Mr. Rohmeyer asked the applicant to demonstrate the need for variances requested.

Mr. K. Slickers thanked the board members for coming to this meeting and hearing their variance request. He and his wife have been residents of Pine Beach on New Jersey Ave for 5 years, and he grew up in Pine Beach and enjoys the community. His variance request is so that his family can grow and expand in his current home and continue to enjoy the activities that Pine Beach has to offer. The proposed project is to expand the existing dwelling up and expand the garage to add storage. The applicant states that his undersized lot gives them few options to expand. The variance request for the front porch is to blend the existing dwelling, built in 1950, with the addition of the proposed second story and to keep it conforming to the neighborhood style. The variance needed is for 2½ ft. over the front setback, where the home already has a front overhang of 1 ft. from a granted variance from 5 years ago; they are requesting an additional 1½ ft. to have a front porch they can enjoy. For the variance requested to expand the garage, Mr. K. Slickers stated that the garage is an existing, non-conforming structure. It is non-conforming by being 7.3 ft. off the property line and the neighbor to the north of the garage is approximately 30 ft. away from the structure. Mr. K. Slickers re-affirmed there are no existing drainage issues; water runs down towards the river. The applicant has spoken to surrounding neighbors and has had no objection to their family's variance requests. Due to the limited possibilities, the applicant tried to limit the amount of variance. He then welcomed any questions from the board.

Mr. Rohmeyer confirmed with the applicant that the detached garage will have no utilities and cannot be a rental property or habitable space. He notes that this property is a uniquely shaped corner property that has limited yard space. There are no proposed grading changes as the runoff flows north towards the roadway. The ridge height proposed is less than 25 ft. and is required by the applicant's builder to be verified by the borough permitting department. The applicant then confirmed with Mr. Rohmeyer that the intended plans will match the existing structure and adding new roofing and siding will conform to the neighborhood's character. Mr. Rohmeyer recommended the board make it conditional that the two lots are consolidated to one per deed change and the applicant is to pay the \$100 fee to update the tax map.

Mrs. Saxton questioned if removing the shed would be considered to gain back the percentage of lot coverage. Mr. K. Slickers responded that it would not be an easy removal as it is boxed in by the structure as well as mature trees, and that totaling in 100 sq. ft. it would not make a drastic change to the lot coverage percentage. Mrs. Saxton then clarified with the applicant that the request for the variance on the front setback was for an additional 1½ ft. Mr. K. Slickers confirmed that in totality it is 2½ ft. due to overhang on the porch but an additional 1½ ft from an existing variance granted. Mrs. Saxton had nothing further.

Mrs. Wnek asked the applicant to walk the board through the expanded porch footprint. Mr. Slickers responds that the left side elevation drawing shows from the face wall of the home, the porch will extend out 5 ft. In consideration with the architect the variance requested will allow the porch to be 5 ft. and able to walk and enjoy.

Mrs. Lill clarified that the previous variance was for the overhang addition to the front steps. Mrs. Lill then questioned how far from the road the new porch will be. Mr. K. Slickers stated that the porch will be 8½ ft. to the property line but even further to the pavement.

Mr. Rohmeyer confirmed that it appears on the survey near 10 ft. to the edge of the pavement and this variance would have no effect on the neighborhood light, air, and open space to the area. Mr. Slickers

testified it would have no negative effect. Mr. Rohmeyer stated that the positive criteria would be more appealing, raising the value, providing more livable space. Mr. Slickers testified yes to this.

Mr. Reid asked the applicant if he believed that the proposed changes create and add to a more desirable visual environment with these additional features. Mr. K. Slickers stated that he does feel the proposed variance and the front porch will enhance the visual design.

Mr. Reid asked the applicant if they would be replacing the roofing and siding on the existing and additional structures and if the applicant believed there would be any negative impact on the neighbors. Mr. K. Slickers replied that he did ask neighbors' opinions on the proposed projects and doesn't feel there are any concerns of a negative impact on neighbors. Mr. Reid restated that the applicant will comply with the height restrictions and that there will be no change in the drainage plans as submitted as per the documents.

Mayor Cuneo questioned the applicant that when they first bought the home on New Jersey Avenue if it was just the two of them; Mr. Slickers responded yes and now they have two children and a dog. Mayor Cuneo believes there is no negative impact on the community.

Mr. Reid asked if the applicant felt these variances would fit into the neighborhood and Mr. Slickers stated that he felt all the updates and changes enhance the fit in the neighborhood. Mr. Reid clarified that due to the applicant's undersized lot this is considered a C1 variance, a hardship pertaining on the land itself. The applicant is applying for the less egregious variance.

Mrs. Lill clarifies with Mr. Rohmeyer that the lot coverage without the shed would be a 1.3% change.

Mayor Cuneo made a motion to open for public comments, seconded by Mrs. Stone. All were in favor.

Ms. Lori Petersen – 427 Lincoln Ave.

Ms. Petersen was sworn in on the record by Mr. Reid. Ms. Petersen explained that she is a direct neighbor to the subject property and the family is a positive reflection of a Pine Beach family. She took the time to review the rendering for the extra room and feels the variances fit in with the character of the neighborhood.

Mr. Robert Covello – 502 Lincoln Ave.

Mr. Covello was sworn in on the record by Mr. Reid. Mr. Covello stated that the Slickers are good homeowners and always keep a clean yard and maintain their lawn. These proposals will enhance the neighborhood and will give keep a good family here in town.

A motion was made by Mayor Cuneo and seconded by Mrs. Stone and all were in favor to close the public portion of the testimony.

Board member comments:

Mrs. Stone stated she lives on the 900 block of Lincoln and has no issue with these variances.

Mrs. Saxton found no issue with the variances.

Mrs. Wnek stated that the variances contribute to the neighborhood and adds value.

Mayor Cuneo stated that it is nice to see the younger residents staying in the neighborhood and contributing to the town.

Mr. Reid reminded the board of the variance conditions;

Roof and siding to match, the applicant shall confirm during the process that height is compliant, and no habitable space in the detached garage only electric ran to structure. Mr. Slickers, the applicant agreed and responded yes.

Mayor Cuneo made a motion to approve the variance per the agreed-upon conditions set forth by Mr. Reid and the land use board and was seconded by Mrs. Saxton.

Roll Call:

Mayor Cuneo (Y)	Mr. Budesa (Absent)	Mr. Higham (Absent)	Mr. Keesling (Absent)	Mr. Pierson (Absent)
Mrs. Saxton(Y)	Mr. Slickers (recused)	Mrs. Stone(Y)	Mrs. Wnek(Y)	Mrs. Lill(Y)

Mr. Reid stated that will the board's approval next month there will be a resolution adopted and then a 45 day appeal period to the resolution. Applicant must apply for zoning. Applicants left the meeting. Mr. Slicker's returned to the meeting.

Mayor Cuneo made a motion to close the new business portion, seconded by Mrs. Saxton and all were in favor.

6. Vouchers for payment

No vouchers

7. Public Portion

No public comments

8. Any Other Business to Come Before the Board

Mrs. Wnek mentioned initiating the process of re-examination of Master Pan.

Mrs. Saxton mentioned that the Resolution 2021-08 was not given to the board in the timeframe set forth at the 8/5/21 meeting. After further discussion, the board continued with Resolution 2021-08.

Mr. Rohmeyer discussed that every 10 years or less a re-examination must take place. The last re-examination documents are available for review. Mr. Rohmeyer then read the Municipal Land Use Law regarding the re-examination and discussed the process and breaking into small groups with specific portions of the master plan.

Mrs. Wnek mentioned that the resolution presented is a draft from previous a previous plan and it must be in groups of 4 or less to not be a quorum.

The board agreed that the re-exam will be handled by the board members with the assistance of the engineer. The re-examination will be a document put together by December, approved, and given public notice for any comments.

A motion was made by Mayor Cuneo and seconded by Mrs. Stone for a vote on Resolution for review of the master plan;

Mayor Cuneo (Y)	Mr. Budesa (Absent)	Mr. Higham (Absent)	Mr. Keesling (Absent)
Mr. Pierson (Absent)	Mrs. Saxton(Y)	Mr. Slickers (Y)	Mrs. Stone(Y)
Mrs. Wnek(Y)	Mrs. Lill(Y)		

Mrs. Lill added she attended the Berkeley Twp. meeting in August for more information on the Ordinance amendment. This was pertaining to the site development plan on Route 9. Mr. Scott Slickers and Mrs. Wnek also attended the meeting and the ordinance was passed. Berkeley will notify adjoining towns.

9. Adjournment 8:58 PM

Minutes Approved: