

**BOROUGH OF HARVEY CEDARS
LAND USE BOARD**

**Regular Meeting – Minutes
February 20, 2020**

A Regular Public Meeting of the Land Use Board of the Borough of Harvey Cedars was held in the Meeting Room in the Borough Hall, 7606 Long Beach Blvd., Harvey Cedars, New Jersey on the above date.

The meeting was called to order by **Chairman Bob Romano** at 07:07 PM. The Chairman asked all to rise for the Pledge of Allegiance.

Chairman Bob Romano made the following announcement: “This is a regular meeting of the Harvey Cedars Land Use Board, notice of which was duly posted on the Bulletin Board in the Municipal Clerk’s office, advertised in the Beach Haven Times and Asbury Park Press, and filed with the Municipal Clerk as required by the Open Public Meeting Act.”

Members of the Board present: **Mark Simmons, John Tilton, Daina Dale, Chairman Bob Romano, Terry Kulinski, Tony Aukstikalnis, and Mayor Oldham**

Members of the Board absent: **Commissioner Imperiale**

Alternate members of the Board present: **Kathy Sheplin and Sandy Marti**

Alternate members of the Board absent: **None**

Also present were the following: **Stuart Snyder, Frank Little, Zoning Officer Anna Grimste**

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Minutes – Reorganization Meeting - January 16, 2020

Terry Kulinski made a motion to approve the minutes of the special reorganization meeting on January 16, 2020, seconded by **John Tilton**. The following vote was recorded: **Mark Simmons, John Tilton, Daina Dale, Chairman Romano, Terry Kulinski, Kathy Sheplin, and Sandy Marti** all voted **Yes** to approve.

Minutes – Regular Meeting – January 16, 2020

Kathy Sheplin made a motion to approve the minutes of the regular meeting on December 19, 2019, seconded by **Sandy Marti**. The following vote was recorded: **Mark Simmons, John Tilton, Daina Dale, Chairman Romano, Terry Kulinski, Kathy Sheplin, and Sandy Marti** all voted **Yes** to approve.

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2020-01 – 20 Kinsey Lane – Keith & Candace Pizer

Due to conflicts, board members **Sandy Marti** and **Mark Simmons** recused themselves from the application.

The following was entered into evidence:

A1 – Application

A2 – Nelke-Tyska Variance Map

A3 – Architectural Plans prepared by Candace Foster Interiors

A4 – Property Photo Sheet

B1 – Borough Engineer’s Review Letter

James Raban with **Raban & Raban LLC** was sworn in. Due to a conflict in schedule, **Mr. Raban** filled in for the applicant’s attorney, **Richard Visotcky**.

James Raban began with an overview of the property and the location. The unique property includes two separate buildings, but it is a single-family dwelling. **Mr. Raban** explained that the applicants are looking to raise both buildings due to being below base flood levels, overhaul the exterior of both buildings, add a second story addition to the main building, and an additional small addition above an existing deck. Once the additions and enhancements are completed, the two buildings will be connected with a deck.

Keith Pizer, applicant, was sworn in. **James Raban** asked the applicant to explain what is represented in the property photo sheet that was sworn into evidence. The applicant confirmed that the photos depict different angles of the main house and the garage.

The following was entered into evidence:

A5 – Set of photos showing the decking removed

Leon Tyska with **Nelke-Tyska Land Surveyors** was sworn in. **Mr. Tyska** prepared the variance plan. **James Raban** asked **Mr. Tyska** to confirm the revision date due to the date on the variance plan showing the original survey date. **Leon Tyska** approximated that the revision date for the plans should be 11/2019.

Mr. Tyska gave an overview on the current structures that are present on the property before describing the proposed plans. He explained that all buildings, including the slab, will be raised to the base flood elevation. The applicants will also be including retaining walls to adhere to FEMA regulations.

Stuart Snyder asked for clarification on the first-floor height. **Leon Tyska** confirmed that the existing height is 26.9ft and the proposed would be within 30ft.

Jonathan Oldham asked to confirm the amount of fill from the north wall of the house to the road. **Mr. Tyska** stated that the fill will be 2.5feet from the crown of the road.

Robert Roth was sworn in. **Mr. Roth** is a professional planner and architect. **James Raban** asked **Mr. Roth** to explain the variances the applicants are seeking from the board.

Robert Roth explained that the applicants are seeking a variance for lot coverage. The

applicants would be increasing the lot coverage by 2%. The proposed home will have a positive aesthetic design including pitched roofs and clean siding. **Mr. Roth** described the proposed home as something Harvey Cedars would be proud of.

James Raban asked **Mr. Roth** to confirm that the floor area ratio would be in compliance with the ordinance in Harvey Cedars. **Robert Roth** confirmed that the floor area ratio would be 46.1%.

Frank Little suggested that there may be an additional variance needed for the height of the garage. **Mr. Roth** stated that due to the house and garage being connected they equal one structure so no additional variance is needed.

Chairman Romano questioned the living space above the garage due to the plans showing an existing kitchenette. **Keith Pizer** confirmed that there are no cooking facilities in the garage.

Candace (Foster) Pizer was sworn in. **Mrs. Pizer** prepared the plans. The home is currently a 1940's cottage. When preparing the plans, she tried to maintain the historical feel. **Mrs. Pizer's** goal was to make it a more continuous flow and enhance the look of Kinsey Lane.

In closing, **Robert Roth** was called forward a final time by **James Raban**. **Mr. Raban** requested confirmation on any impact to surrounding property owners on Kinsey Lane. **Mr. Roth** does not feel there would be any negative impact.

Public Portion was opened.

Adam Jaffe, 28 Kinsey Lane, was sworn in. **Mr. Jaffe** purchased his home in 2015. He approached the zoning officer to make changes similar to what is being requested by the Pizers at the time of purchase. **Mr. Jaffe** was told his variance would not be granted. In 2016, when he came in for the permit, it was not required to raise your property. At that time, he did not want to raise his property. With the new structure he built, he is now unable to raise his property. With the updated bulkheads and new homes around him, water is now funneling into his property.

Frank Little explained that with sea level rising, it is inevitable that water is going to reach **Mr. Jaffe's** property. **Jonathan Oldham** and **Mr. Little** explained to **Mr. Jaffe** that it should be draining to the cove not his property.

Mr. Jaffe questioned the classification of the Pizer residence being considered one building. **Frank Little** stated that if a connection is between them, it is then considered one unit. If the garage was separate it would require other variances.

Tony Aukstikalnis presented the Resolution #97-2 that originally came before the board in 1997.

The following was entered into evidence:

A5 – Resolution #97-2

Before going into discussion on the Resolution, **Chairman Romano** questioned the relevance of the prior Resolution. **Stuart Snyder** stated that in the original case that came before the board they were doing away with the duplex.

Public Portion was closed.

Chairman Romano opened it up to Board Discussion.

Kathy Sheplin requested confirmation on which portions of the bulkhead were being replaced. **Candace Pizer** confirmed that the entire length of bulkhead was replaced.

Mayor Oldham questioned if there were any gutters or other drainage. **Frank Little** stated everything will drain towards the cove. **Leon Tyska** added that the drains will be through the bulkhead.

Chairman Romano asked the applicants if there were any intentions on renting the property. The applicants said they would not be. It will be a single use primary home.

Daina Dale and **Chairman Romano** inquired on the placement of the garbage cans. **Keith Pizer** stated that the garbage cans will be placed in a rack along the garage on Kinsey Lane.

Kathy Sheplin questioned the placement of air conditioning units. **Keith Pizer** stated that the units would be placed in the setbacks. **Candace Pizer** added that as of now they are using wall units and have not planned on adding new air conditioning units. **Mayor Oldham** insisted that the applicants meet with the zoning officer prior to making plans. **Frank Little** added that in order to add the air conditioning units to the setbacks, another variance would be needed or they would need to conform on one section of the property.

Chairman Romano re-opened Public Portion.

John Spark, 22 W. 83rd Street, was sworn in. **Mr. Spark** explained to the board that the applicant's property is the lowest point on the lane. He reviewed the application once more. **Mr. Spark** is currently doing work on 20 Kinsey Lane. Due to **Mr. Spark** having knowledge on the property, **Stuart Snyder** requested a recommendation on where the future air conditioning units could be placed. **John Spark** suggested that they would not be able to be placed in a setback, but would need to be placed in a roof cut-out or on the entry way deck.

Public portion was closed.

Board discussion was re-opened.

John Tilton added that Kinsey Lane is a very unique area of Harvey Cedars. He explained that historically residents have done the right thing in that area.

Mayor Oldham agrees that the applicants proposed plans will keep with the historical and

architectural feel of the Kinsey Cove community.

Terry Kulinski expressed that she is happy that the proposed home will be kept as a single-family.

A motion was made to approve the application by **Terry Kulinski**, seconded by **John Tilton**. The following vote was recorded: **John Tilton, Daina Dale, Chairman Romano, Terry Kulinski, Tony Aukstikalnis, Mayor Oldham, and Kathy Sheplin** all voted **Yes** to approve.

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Chairman Romano and **Frank Little** began the discussion of the Master Plan. The last Master Plan was done in 2003. **Mr. Little** explained that in other towns they form a committee to form a draft but if the board prefers, the entire board can work on the draft. **Stuart Snyder** added that the board will need to add sections of stormwater management and affordable housing.

Mayor Oldham added that with an unknown future, the board must keep in mind all of the large occupied properties such as the **Harvey Cedars Bible Conference, Maris Stella Retreat, and the Long Beach Island Fishing Club.**

Stuart Snyder explained that going forward into the next meetings the board should expect to discuss the Master Plan along with the other items that will be on the agenda.

Mayor Oldham suggested that the board only meet to discuss the Master Plan due to its importance. **Mr. Snyder** added that by law, the board is obligated to hear any cases. He also added that a special meeting or a committee can be formed to discuss the Master Plan outside of the regular meeting.

Adding to the discussion of the committee, **Frank Little** stated that in other neighboring towns it is typically done in a committee of four people. He further explained that the committee will compile a rough draft and bring it before the full board.

Mr. Little shared that in previous discussions with **Mayor Oldham**, there has been interest in possibly developing a sidewalk/streetscape in the business district to make it safer. There has also been discussion to review Land Use Ordinances regarding filling in storefronts without coming before the board. **John Tilton** mentioned the previous case of Bills Bait and Tackle as an example.

Mayor Oldham suggested that the board plan on forming a Master Plan committee at the following March meeting.

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At 8:54 the meeting was adjourned.

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Respectfully submitted,

Christine Lisiewski, Secretary

