

**BOROUGH OF HARVEY CEDARS
LAND USE BOARD**

**Regular Meeting – Minutes
March 16, 2017**

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 7:05 PM. The Chairman asked all to rise for the Pledge of Allegiance.

Chairman 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: **John Tilton, Chairman Romano, Terry Kulinski, Daina Dale and Mayor Oldham**

Members of the Board absent: **Mark Simmons, Paul Rice, Tony Aukstikalnis and Commissioner Garofalo**

Alternate members of the Board present: **Sandy Marti**

Alternate members of the Board absent: **Kathy Sheplin**

Also present were the following: **Frank Little, PE and Stuart Snyder, Esq.**

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**Application – 2017-03 – Coulson, 5423C Long Beach Blvd., Block 6 Lot 39**

Mr. Snyder swore in Kimberly Coulson, owner/applicant, Christopher Jeffrey, a licensed Architect practicing in the State of New Jersey and representing the applicant, and Board Engineer Frank Little. Mr. Snyder marked and entered the following exhibits: Application dated February 23, 2017 as A1, Variance Map prepared by the engineering firm Horn, Tyson and Yoder dated August 18, 2016 with revision date January 24, 2017 as A2, Variance Set of Plans of 7 sheets prepared by Christopher Jeffrey Architects dated February 3, 2017 as A3, four (4) photographs on one page as A4, and Board Engineer’s Letter dated March 10, 2017 as B1.

Mr. Jeffrey explained the history of the property, current conditions, proposed alterations, and Item #3 from the Board Engineer’s letter regarding height conflict between the Variance Map and the Architectural Plans. The owner has lived at the property for approximately 35 years; the owner proposes to add an addition to the west side of the dwelling, upgrade the HVAC system, relocate the electric from the north side and bury it on the south side, and refurbish the existing roof deck. Mr. Jeffrey explained he spoke with the Engineer to establish the basic grade; due to current construction on the shared easement occurring directly west and another directly south of the Coulson property, about 2’ of fill was added causing the Coulson property to be lower. Therefore, the

easement to the Coulson property will be filled and feathered to meet the new fill. It was determined the height to be measured from the filled easement.

The following is a summary of Mr. Jeffrey's and Ms. Coulson's testimony, and Board member questions:

- The existing dwelling's height is 31.9' where 32' is allowed.
- There are 3 existing non-conformities: 1) the southern side-yard setback is 7.9' where 10' is required, 2) the chimney extends 2.5' where 2' is permitted, 3) the northerly setback to the 5' walkway easement is 7.9' where 8' is required (total northerly setback is 12.9' where 13' is required).
- Per zoning regulations, the height of a structure is limited to 30' when setbacks are non-conforming.
- The applicant is asking for the proposed addition to be built at the existing ridgeline of 31.9'. Mr. Jeffrey explained if the addition was built to 30' the new rooms would be 1.5' below the existing ridgelines.
- The new heated area would be 16' by 21.6' on each of the two (2) floors.
- The total addition is approximately a little less than 1,000 sq. ft.
- The 5' walking easement runs east/west from the Boulevard to the ocean.
- The properties north of the walking easement use Cumberland Ave.
- 4 houses (2 on Blvd. & 2 on easement) plus the applicant's house (total of 5 houses) use the 5' walking easement. The oceanfront south of the applicant's property has its own walkway.
- The 2.5' (2' permitted) chimney extension does not go all the way to the ground and does not impede on the walking easement.
- A new HVAC system will be installed that will comply with all setback requirements. The existing air conditioning units may have to remain in the same location, but relocating them out of the walking easement area will be attempted. In no case will the existing a/c unit area be enlarged.
- Outside showers will be located underneath the new addition.
- The sprinkler system along the walkway easement turns on around 7 or 8am.

The floor was **open** for **PUBLIC COMMENT**, but no public was present. The **PUBLIC PORTION** was **closed**.

**John Tilton** made a motion to approve the application as proposed. Second by **Terry Kulinski**.

The following roll call vote was recorded: **John Tilton, Chairman Romano, Terry Kulinski, Daina Dale, Mayor Oldham, and Sandy Marti** all voted **YES**. The application was approved.

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OLD BUSINESS

Daina Dale made a motion to approve the minutes of the February 16, 2017 meeting, seconded by **Sandy Marti**. The following all voted **YES**: **Chairman Romano, Terry Kulinski, Daina Dale, Mayor Oldham and Sandy Marti**.

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**Resolution – 2017-02 – Siemons/Favata, 72 West 80<sup>th</sup> Street, Block 58 Lot 23**

**Mayor Oldham** requested to add testimony to the resolution that commented about the height. Mr. Snyder included a paragraph stating “the only area where the height limit will be extended will be that area at the gable end where the living room is located”. With said change **Terry Kulinski** made a motion to approve the Resolution, seconded by **Sandy Marti**. The following roll call vote was recorded: **Chairman Romano, Terry Kulinski, Daina Dale, Mayor Oldham** and **Sandy Marti** all voted **YES**.

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OTHER BUSINESS

The proposed Open Space Ordinance drafted by the Governing Body was read by all and discussed. A motion was made by **Chairman Romano** to accept the ordinance as presented and send it back to Governing Body with no objections or comments by this Board. Second by **Sandy Marti**. The following roll call vote was recorded: **John Tilton, Chairman Romano, Terry Kulinski, Daina Dale, Mayor Oldham** and **Sandy Marti** all voted **YES**.

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At 8:03 PM a motion to adjourn was made by **Mayor Oldham**, seconded by **Daina Dale**, all in favor.

Respectively submitted,



Daina Dale, Secretary Pro Tem