

**BOROUGH OF SOUTH TOMS RIVER
LAND USE BOARD MINUTES
TUESDAY, JANUARY 29, 2024 7:00 P.M.**

MOMENT OF SILENCE AND ALLEGIANCE TO THE FLAG

OPEN PUBLIC LAW STATEMENT MEETING

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of January 29, 2024 was included in a list of meetings notice sent to the Asbury Park Press on January 21, 2024 and advertised in said newspaper and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Debbie Rumpf swore in the following newly appointed board members:

Class I George Rutzler (Mayor Designee) 12/31/2024

Class II Thea Kratochvil 12/31/2024

Class III Thomas Rolzhausen 12/31/2024

Class IV Laura Grams 12/31/2027

Class IV Michael Serdinsky 12/31/2027

Alternate I Toni Petro 12/31/25

Member	Present	Absent
Mr. Whalen	X	
Mr. Rutzler	X	
Councilman Rolzhausen	X	
Mrs. Grams	X	
Mr. Jubert	X	
Mr. Glogolich	X	
Mr. Serdinsky	X	
Mr. Calhoun		X
Mrs. Kratochvil	X	
Alt. Mrs. Petro	X	
Alt. Mr. Hailey		X

REORGANIZATION

Resolution 2024-01 Appointing Attorney – Rumpf Law

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler	Second	X			
Councilman Rolzhausen	Motion	X			
Mrs. Grams		X			
Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky				X	
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro		X			
Alt. Mr. Hailey					X

Resolution 2024-02 Appointing Engineer – Van Cleef Engineering Associates, LLC

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler	Second	X			
Councilman Rolzhausen		X			
Mrs. Grams		X			
Mr. Jubert	Motion	X			
Mr. Glogolich		X			
Mr. Serdinsky				X	
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro		X			
Alt. Mr. Hailey					X

Resolution 2024-03 Meeting Dates

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler	Second	X			
Councilman Rolzhausen	Motion	X			
Mrs. Grams		X			

Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky				X	
Mr. Calhoun					X
Mrs. Kratochvil	X				
Alt. Mrs. Petro	X				
Alt. Mr. Hailey					X

Motion to select LUB Chairman

Councilman Rolzhausen nominated Mr. Whalen as LUB Chairman, seconded by Mrs. Grams.

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen				X	
Mr. Rutzler		X			
Councilman Rolzhausen	Motion	X			
Mrs. Grams	Second	X			
Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky		X			
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro		X			
Alt. Mr. Hailey					X

Motion to select LUB Vice-Chairman

Mr. Glogolich nominated Mrs. Grams however she declined. Mr. Glogolich nominated Mr. Jubert as Vice-Chair, seconded by Councilman Rolzhausen.

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler		X			
Councilman Rolzhausen	Second	X			
Mrs. Grams		X			
Mr. Jubert				X	
Mr. Glogolich	Motion	X			
Mr. Serdinsky		X			
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro		X			
Alt. Mr. Hailey					X

Motion to select LUB Secretary

Councilman Rolzhausen nominated Mrs. Kratochvil, seconded by Mrs. Grams.

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler		X			
Councilman Rolzhausen	Motion	X			
Mrs. Grams	Second	X			
Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky		X			
Mr. Calhoun					X
Mrs. Kratochvil				X	
Alt. Mrs. Petro	X				
Alt. Mr. Hailey					X

APPROVAL OF MINUTES FROM DECEMBER 18, 2023

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler		X			
Councilman Rolzhausen	Second	X			
Mrs. Grams				X	
Mr. Jubert	Motion				
Mr. Glogolich		X			
Mr. Serdinsky				X	
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro		X			
Alt. Mr. Hailey					X

OLD BUSINESS

Resolution 2024-04 – M&T

Mrs. Grams, Mr. Serdinsky, and Mrs. Petro were not at the December meeting and unable to vote

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler		X			
Councilman Rolzhausen	Motion	X			
Mrs. Grams	No Vote				
Mr. Jubert		X			

Mr. Glogolich	Second	X			
Mr. Serdinsky	No Vote				
Mr. Calhoun					X
Mrs. Kratochvil		X			
Alt. Mrs. Petro	No Vote				
Alt. Mr. Hailey					X

NEW BUSINESS

SATRKEY Properties Inc.
 Block 4 Lot 20
 225 Atlantic City Blvd.

Kenneth Schlatmann, Engineer for STRKEY Properties, and Bridget Sykes, Attorney for STRKEY Properties were sworn in by Debbie Rumpf. The Board accepted Mr. Schlatmann’s credentials to testify as the applicant’s engineer.

Mrs. Sykes stated that they were here tonight for STRKEY Properties for the building located at 225 Atlantic City Blvd. The applicant was previously approved by the Board in 2023 for the building and are now applying for a variance from the Flood Damage Prevention Ordinance to allow the building to remain at its present elevation. During the process of figuring out the construction cost, the cost was higher than originally anticipated which drove the cost over the substantial improvement of the Flood Damage Prevention Ordinance. This does not take into account the land value, only the building. Mrs. Sykes had a poster board of the building the way it is now and the improvements proposed and approved by the Board entered into record as Exhibit A-1.

Mrs. Sykes then questioned Mr. Schlatmann in regards to the application. Mr. Schlatmann testified that the property is unique and sits behind the old railway right of way and they have full access to the property off of Atlantic City Blvd. The property is narrow to the water behind it. Constructing a new build or raising the current building to higher elevation is not practical due to its dimensions and topography. The applicant has been working with Board engineer in order to complete resolution compliance and has approvals from the OC Planning Board, the DEP, the DOT, and Soil Conservation. The Flood Plain Elevation is determined by FEMA and would require the applicant to raise the building several feet. The applicant is not changing the footprint of the building and the building is consistent with the other buildings in that area. Other business have done improvements to their properties without the need to raise the building due to the fact that cost was less than 50% of the value of the building. The current state of the applicants building is in disrepair due to being empty for so long that the cost to repair it would be over that 50% amount. There is water the north and west of their property however there has not been flooding in that area. The existing boat slips and docking are to be removed and they will inspect and replace the bulkhead. Mr. Schlatmann feels that this relief can be granted without any issues to the property or the surrounding properties.

The Board questioned the applicant. Asked about what a floodgate was, it is doors with waterproof gaskets so in the event of flooding the water would not get in the building. Is the applicant eligible for flood insurance? They are. There were questions about the utilities and they will all be done with current safety standards. The Board asked Millis Looney, Board Engineer, if giving the variance is applicable based on the testimony. She did and also stated that everything in her review letter had been satisfied by the testimony.

Mr. Whalen opened the application to the public. Seeing no questions from the public, Mr. Whalen asked for a motion to approve or deny the application.

STRKEY Properties

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler		X			
Councilman Rolzhausen		X			
Mrs. Grams		X			
Mr. Jubert	Motion	X			
Mr. Glogolich		X			
Mr. Serdinsky	Second	X			
Mr. Calhoun					X
Mrs. Kratochvil		X			

The Board discussed Mr. Calhoun’s position on the Land Use Board as he has not been to any meetings for a while. A letter will be sent requesting his resignation.

APPROVAL OF BILLS

Rumpf Law Invoice #18579 LUB Various Items \$141.75
 Total \$141.75

Van Cleef Engineering Invoice #21126.00-21 The Lofts Inspection Services \$3,202.50
 Van Cleef Engineering Invoice #18071.00-20 M&T \$280.00
 Van Cleef Engineering Invoice #23123.00-4 STRKEY Properties \$420.00
 Total \$3,902.50

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mr. Rutzler	Motion	X			
Councilman Rolzhausen		X			

Mrs. Grams	Second	X			
Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky				X	
Mr. Calhoun					X
Mrs. Kratochvil		X			

CHAIRMAN'S REPORT

None

CORRESPONDENCES

None

PUBLIC COMMENT

No public comment.

ADJOURNMENT

Member	Motion	Yes	No	Abstain	Absent
Mr. Whalen		X			
Mayor/Mr.Rutzler	Second	X			
Councilman Rolzhausen		X			
Mrs. Grams	Motion	X			
Mr. Jubert		X			
Mr. Glogolich		X			
Mr. Serdinsky		X			
Mr. Calhoun					X
Mrs. Kratochvil		X			

Meeting adjourned.

Respectfully Submitted,

Thea Kratochvil
Board Secretary