**Sea Bright, New Jersey**

**Unified Planning Board Minutes**

**June 23, 2015**

**7:30 p.m.**

Chairman Cunningham called the meeting to order and requested those present to join him in the salute to the Flag.

Chairman Cunningham read the following statement:

**2.** **OPENING STATEMENT:**

The Borough of Sea Bright, in compliance with the “Open Public Meetings Act” has advertised the date; time and location of this meeting in **The Asbury Park Press** on December 11, 2015 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office**.**

**3.** **ROLL CALL:**

**PRESENT:** Cashmore,Cunningham, Desio, Leckstein, Schussheim, Smith,

Isoldi-Jany(Alt.#1) Beer (Alt.2) DeGiulio (Alt. 4)

Engineer Flor Jenna Staglione & Martin Truscot from T&M

**ABSENT:** Long, Nott, Schwartz, ( Marrone (Alt.3)

**4. MEMORIALIZATION OF RESOLUTION:**

Councilman Leckstein introduced a motion approving the following application.

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD**

**GRANTING SITE PLAN APPROVAL**

**CHRISTINA WALKER & DAVE MEYERS**

**4 ATLANTIC WAY**

**BLOCK 28 LOTS 9/9.01**

**WHEREAS,** Christina Walker and Dave Meyers (the “Applicants”) made application to the Planning/Zoning Board of Sea Bright (the “Board”) for property known as Block 28, Lots 9/9.01 on the Tax Map of the Borough of Sea Bright, also known as 4 Atlantic Way for site plan approval to relocate JCP&L utility poles which feed adjacent properties on Willow Way from the center to the southeast corner of their property; and

**WHEREAS,** the existing utility pole and lines dissect the middle of the subject property, impacting the development of the subject property; and

**WHEREAS**, Applicant has provided due notice to the public and all surrounding property owners as required by law, has caused notice to be published in the official newspaper in accordance with N.J.S.A. 40:55D-1 et seq. and, therefore, this Board has accepted jurisdiction of the application and has conducted public hearing on the matter at meeting on June 9, 2015, at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant appeared and marked into evidence certain documents including the following:

**A-1**: Jurisdictional Packet

**A-2:** Architectural plans by Jeff Jordan Architects, LLC

**WHEREAS**, the Board considered the testimony and evidence presented and the Board makes the following findings of fact and conclusions of law:

1. Existing utility pole and the lines servicing homes on Willow Way dissect the subject property, impacting the development of same.
2. The Applicants desire to demolish the existing home which sits on lot 9 and construct a new home traversing lots 9 and 9.01. The utility lines running down the middle of the property would prohibit the location of the new home in the middle of the property. The existing home has front and side yard setback violations, whereas the proposed home will be fully conforming.

3**.** The Applicants have requested JCP&L to relocate the current pole and service to allow for the fully compliant development of the property.

4. JCP&L have consented to relocation of the pole to the southeast corner of the subject property, with the lines running down the side of the property, rather than across the middle of the property.

5. The relocated pole will be at least 20’ from any building.

6. The Board found that the relocation of the utility pole and lines/wires will allow for the compliant development of the subject property and makes better planning sense.

7. No neighbors have objected to the relocation.

8. The properties being serviced by these lines are located on Willow Way and will not be negatively impacted by the relocation.

9. The Board found that the proposed design and layout will add to the safety of the property and make for a better and more compliant location of the home on the property.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of the Borough of Sea Bright that the Application set forth above described is approved in accordance with the plans submitted and marked into evidence, subject to the following conditions:

**GENERAL CONDITIONS**

1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

2. The applicant must obtain the approval of all necessary and appropriate governmental agencies and compliance with all governmental regulations, including but not limited to CAFRA, except those specifically waived or modified in this Resolution.

3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits.

4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied by the Board in granting this approval. This condition shall be a continuing condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

5. All stipulations agreed to on the record, by the applicant.

6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality’s professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

**BE IT FURTHER RESOLVED** that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of June 9, 2015; and

**BE IT FURTHER RESOLVED** that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

**BE IT FURTHER RESOLVED** that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant’s expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathy Morris, Secretary

Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

and

Seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Lance Cunningham, Chairman

Sea Bright Planning/Zoning Board

Seconded by Boardmember Smith and adopted on the following roll call vote:

Ayes: Cashmore, Cunningham, Desio, Leckstein, Schussheim, Smith, Isoldi-Jany, Beer.

Nays: None

Abstain: None

Absent: Long, Nott, Schwartz, Marrone, DeGiulio.

**5. MEMORIALIZATION OF RESOLUTION:**

Councilman Leckstein introduced a motion approving the following application.

**RESOLUTION OF INTERPRETATIONTHE SEA BRIGHT PLANNING/ZONING BOARD**

**RE: CHARLES MANS**

**36 BEACH STREET**

**Block 10, Lot** **17**

**WHEREAS**, Charles Mans, owner of premises commonly known as 36 Beach Street, Block 10, Lot 17, Sea Bright, New Jersey has applied to the Planning/Zoning Board for an interpretation arising from the raising of the existing home 4’6” above the BFE together with additions to the home that do not give rise to setback violations; and

**WHEREAS,** the zoning officer denied the zoning permit based upon her interpretation that New Jersey law permits the raising of a structure in the same location to comply with current flood regulations with no additions and to the minimum extent required to comply with the flood regulations where the proposal is to raise the home 4’6” above the BFE and additions to the home are proposed; and

**WHEREAS**, the Applicant has provided due notice to the public and all surrounding properties as required by law, has caused notice to be published in the official newspaper in accordance with N.J.S.A. 40:55d-1 et seq., this Board gaining jurisdiction therein and a public hearing having been held on this matter at a regular planning/zoning board meeting of June 9, 2015 at which time all persons having an interest in said application were given an opportunity to be heard; and

**WHEREAS**, the Applicant appeared and marked into evidence certain documents including the following:

A-1 Application;

A-2 Architectural renderings by Michael Savarese dated 1-12-15, revised to 3-10-15;

A-3 Packet of photographs;

**WHEREAS**, members of the public were given the opportunity to be heard regarding the application; and

**WHEREAS,** Michael Savarese, architect, testified and explained the size, location and dimensions of the proposed additions;

**WHEREAS**, the Board considered the testimony and evidence presented and the Board makes the following findings of fact and conclusions of law:

1. The Applicant proposes to raise the home 4’6” above the minimum required. Sea Bright Ordinance 130-50.C allows that : “When a structure is built or raised to a minimum of 2 ft. above the base flood elevation, then the height limit of the structure shall be revised to allow 3 additional feet in height to be added to the maximum allowable height for that particular structure.”

2. Though the house will be elevated more than 2’ above BFE, the house will still be compliant with the height ordinance.

3. Though the Applicant is proposing some additions to the front and rear of the house, it will still meet the front, side and rear yard setbacks. The side yard setbacks are not being changed and are compliant with the minimum 3’ setback.

There is a proposed addition to the rear of the house along the same line as the existing house which meets the rear yard setback requirement.

4. There is a proposed addition to the front of the house which will not affect the existing front setback. The minimum allowable front setback is 5’ when set at the average of the houses on the block. The architect testified and introduced photographs showing the average front setbacks to be 5’. The existing is 5.4” and the proposed addition will not decrease the setback.

5. The overall footprint will not change with this proposal.

6. A variance for the rear deck was obtained in 2009 after litigation. The rear deck will be raised by this proposal, but will not change in location or setback.

7. The Board found that the proposal which will raise the house 4’6” above BFE and with additions to the front and rear, will not give rise to any height, front, side or rear yard setback violations. No variances are required as a result of this proposal and a zoning permit can issue.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of the Borough of Sea Bright that the Application to raise the house and add an addition to the front and rear will not give rise to any height, front, side or rear yard setback violations; no variances are required as a result of this proposal and a zoning permit can issue.

**BE IT FURTHER RESOLVED** that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of June 9, 2015; and

**BE IT FURTHER RESOLVED** that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

**BE IT FURTHER RESOLVED** that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant’s expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on June 23, 2015.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathy Morris, Secretary

Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

and

Seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Lance Cunningham, Chairman

Sea Bright Planning/Zoning Board

Seconded by Boardmember Smith and adopted on the following roll call vote:

Ayes: Cashmore, Cunningham, Desio, Leckstein, Schussheim, Smith, Isoldi-Jany,.

Nays: None

Abstain: Beer.

Absent: Long, Nott, Schwartz, Marrone, DeGiulio

**7. MEMORIALIZATION OF RESOLUTION:**

Boardmember Smith introduced a motion approving the following application.

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD GRANTING AMENDED SITE PLAN AND USE VARIANCE**

**VICTORY SCUDIERY**

**150 Ocean Avenue**

**Block 34 Lots 4, 4.01**

**WHEREAS,** Victor Scudiery, (the “Applicant”) made application to the Planning/Zoning Board of Sea Bright (the “Board”) for property known as Block 34, Lots 4 and 4.01 on the Tax Map of the Borough of Sea Bright, also known as 150 Ocean Avenue for preliminary and final amended site plan and use and bulk variance approval; and

**WHEREAS**, the Applicant previously received preliminary and final site plan approval to demolish an existing building,as part of a settlement of builder’s remedy litigation, retain an existing building and construct 24 apartment units in two residential buildings and a swimming pool. The proposed residential buildings were to be 3 ½ stories and 44 feet in height.

**WHEREAS**, the prior approved plan limited the use of the existing marina solely for residents of the complex.

**WHEREAS**, the Applicant submitted an application and plans to amend the prior approved plan as a result of changes it alleged were required by CAFRA, including the elimination of the pool and addition of 12 boat slips, 20% of which could be restricted to residents of the complex resulting in a use variance to expand the non-conforming marina use.

**WHEREAS**, the Board denied the amended site plan and use variance for the reasons set forth in its resolution adopted at its meeting of January 28, 2015; and

**WHEREAS**, after discussions with CAFRA, the requirement to construct additional boat slips was rescinded and CAFRA approved the plan with the existing marina, but directed that 75% of the slips must be made available to the public; and

**WHEREAS**, the Applicant submitted an amended preliminary and final site plan and use variance application to eliminate the pool which was on the original plans, eliminate the parking across Ocean Avenue, open 75% of the marina slips to the public (while keeping the same number of slips as existing), and to raise the residential buildings in accordance with post-Sandy FEMA regulations; and

**WHEREAS**, Applicant has requested a use variance to allow two principal uses on the site; the existing marina and the proposed residential buildings; and

**WHEREAS**, Applicant has provided due notice to the public and all surrounding property owners as required by law, has caused notice to be published in the official newspaper in accordance with NJSA 40:55D-1 et seq. and, therefore, this Board has accepted jurisdiction of the application and has conducted a public hearing on the matter at its meeting on June 9, 2015, at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant appeared and marked into evidence certain documents including the following:

A-1 Jurisdictional Packet,

A-2 Amended preliminary and final site plan prepared by Concept Engineering Consultants , John J, Ploskonka, dated 4-26-11, revised to 3-11-15,

A-3 Architectural Plans – first and second level plans prepared by Bach & Clark, LLC, Architecture, dated 7/23/13,

A-4 Aerial photograph,

A-5 Color rendering of sheet 3 of A-2

A-6 CAFRA letter with permit and conditions

A-7 packet of reduced size Exhibit A-3

A-8 Tally of slip rentals

A-9 T&M review letter dated April 24, 2015, revised to 6-8-15

**WHEREAS**, the Applicant offered sworn testimony in support of the application by the following:

Daniel Bach, Architect

John J. Ploskonka, P.E. Engineer, Concept Engineering

John Rea, P.E. McDonough and Rea Associates, traffic engineer

James Higgins, Professional Planner

**WHEREAS**, the Board considered the testimony and evidence presented and the Board makes the following findings of fact and conclusions of law:

1. Applicant is proposing to amend the prior approved plan as a result of elevation changes required by FEMA post-Sandy and the approved CAFRA permit and conditions, which allow for the marina to remain at 14 slips, 25% of which may be restricted to residents of the complex, with the remainder open to the public. Under the original approval, the Applicant had stipulatedthat it was abandoning the commercial marina use and that the slips and marina would only be available for use by the residents of the condominium complex.
2. The Applicant’s engineer, John Ploskonka testified that the two residential buildings had to be elevated above the BFE to comply with the Borough ordinances and FEMA. The height shown on the plans will be 43.5’ which complies with the Borough height ordinance. The Board observed that a note on the plans indicated a height of 45’. Mr. Ploskonka testified that this was incorrect and the plans would be revised to reflect the correct height which can be no higher than 45’ per the Borough ordinance. It is a **CONDITION** of approval that the plans be revised to show the correct height.
3. The CAFRA requirement of making 75% of the slips open to the public results in the need for a use variance to allow two principal uses on the same site.
4. The Applicant presented exhibit A-8 which is a tally of slip rentals. The testimony and exhibit show that historically, the marina has never been fully rented. The strong currents in the river in this area make it unfavorable to boaters. The Board found that even with 75% of the slips open to the public, the marina would not present a major impact on the site. At the request of the Board, the Applicant **STIPULATED** that the Master Deed would contain a provision that no more than 75% of the 14 slips would be made available to the public, 25% reserved to the residential unit owners. The Applicant further **STIPULATED** that the marina would not be expanded beyond 14 slips without prior approval by the Board.
5. Due to the fact that State Highway 36 intersects the Borough, the Board has traditionally disfavored allowing parking across the Highway, instead restricting parking in Northern Sea Bright to the main lots located along the River. As the marina is not being expanded, the proposal has adequate parking on the main lot and **STIPULATED** that there would be no parking for this development on the eastern side of Ocean Avenue. It was further **STIPULATED** and made a **CONDITION** of approval that the Master Deed contain a notice that the lot on the east side of Ocean Avenue, lot 4.01 is not part of the common elements.
6. In response to concerns of neighbors, the engineer verified that all stormwater will be collected on-site with no run-off to adjoining properties.
7. Neighbors had grave concerns over the proposed height of the building. Applicant’s engineer and architect testified, and the Board engineer verified, that the proposed height, as calculated under the Borough ordinance, was compliant with the Borough ordinance.
8. The Applicant’s traffic engineer, John Rea testified that the on-site traffic flow did not change. He stated that having 75% of the 14 slips open to the public would only generate 3 peak hour trips.
9. Upon questioning, Mr. Rea testified that the existing uses on the subject property generated 4 times the amount of traffic than the proposed two uses. The restaurant use will be eliminated and abandoned.
10. Due to the post-Sandy requirement to elevate above the BFE, the proposed residential structures will be higher than as under the previously approved plan. However, due to the change in the Borough height ordinance and the method for calculating height, no variance is required.
11. The Applicant’s planner, James Higgins testified as to reasons a use variance was warranted. He stated that the residential use was fully conforming in all aspects and provided affordable housing units, which are inherently beneficial. CAFRA dictated that the marina must continue in operation and 75% of the slips must be available to the public. Without meeting this CAFRA condition, the affordable housing units would not be possible. Mr. Higgins opined that the use of the marina was tied to the construction of affordable housing and was therefore an inherently beneficial use.
12. Mr. Higgins further noted that the proposed mixed use of residential and marina was more compatible with the zoning than the prior marina, restaurant and bar uses.
13. Mr. Higgins noted that providing public access to waterfront activities was a substantial public benefit. He stated the property is particularly suited for the two uses as it is located on the waterfront, and CAFRA has dictated that the uses are permitted and in the case of the marina, required.
14. Mr. Higgins further noted that there is no substantial negative impact by the two principal uses. The intensity of the previously approved use has been reduced by elimination of the pool. The proposed two uses are less intense than the current three uses on the property. By reducing the number of uses on the premises, he opined that the proposal brought the property more into compliance and increased the conformity. He further stated that marina use is a low intensity use and is compatible with the residential use.
15. The Board planner Martin Truscott agreed that public access to the waterfront is a strong argument. He also noted that the use of the waterfront is consistent with the Master Plan. He felt the marina use and residential uses were compatible.
16. Board engineer Flor noted that there are different notations as to the BFE on the plans. It was **STIPULATED** and made a **CONDITION** of approval that the flood plain manager will establish the BFE and the Applicant will go 3’ above the BFE. The plans will be revised to reflect the accurate BFE and height. The Board made clear that in no event could the height of the building exceed 45’ – no height variance was granted.
17. Based on the evidence and testimony presented, the Board found that the Applicant met its burden of proof in this matter. The Board found that no bulk variances were required. The Board finds that with the stipulations and conditions agreed upon, the proposed project meets all bulk zoning requirements and there is no negative impact on the zone plan or ordinance.
18. After evaluating all of the evidence and testimony the Board found that the applicant has met the enhanced burden of proof as to the positive and negative criteria as set forth in Medici v. BPR Co., 107 N.J. 1 (1987).
19. The Board further found that the proposed uses were consistent with the goals of the Master Plan.
20. The Board found that there were special reasons demonstrated by the Applicant which would compel them to exercise their jurisdiction to grant a use variance to the Applicant. The provision of affordable housing units constituted special reasons.

The “D” variance relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Master Plan, Zone Plan and Zoning Ordinance for the reasons set forth above, subject to the Stipulations and Conditions set forth on the record as well as compliance with the Stipulations and Conditions of the original approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of the Borough of Sea Bright, based on the foregoing findings of fact, that the application for amended preliminary and final site plan and use variance approval be and is hereby granted subject to the Stipulations and Conditions put on the record as well as compliance with the Stipulations and Conditions of the original approval:

**GENERAL CONDITIONS**

1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

2. The applicant must obtain the approval of all necessary and appropriate governmental agencies and compliance with all applicable governmental regulations, including but not limited to CAFRA, except those specifically waived or modified in this Resolution.

3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits.

4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied by the Board in granting this approval. This condition shall be a continuing condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

5. All stipulations agreed to on the record, by the applicant.

6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality’s professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

**SPECIFIC CONDITIONS**

1. The Board observed that a note on the plans indicated a height of 45’. Mr. Ploskonka testified that this was incorrect and the plans would be revised to reflect the correct height which can be no higher than 45’ per the Borough ordinance. It is a **CONDITION** of approval that the plans be revised to show the correct height.
2. The Applicant **STIPULATED** that the Master Deed would contain a provision that no more than 75% of the 14 slips would be made available to the public, 25% reserved to the residential unit owners.
3. The Applicant **STIPULATED** that the marina would not be expanded beyond 14 slips without prior approval by the Board.
4. The Applicant **STIPULATED** that there would be no parking for this development on the eastern side of Ocean Avenue. It was further **STIPULATED** and made a **CONDITION** of approval that the Master Deed contain a notice that the lot on the east side of Ocean Avenue, lot 4.01 is not part of the common elements.
5. It was **STIPULATED** and made a **CONDITION** of approval that the flood plain manager will establish the BFE and the Applicant will go 3’ above the BFE. The plans will be revised to reflect the accurate BFE and height, provided that the height may not exceed 45’ per ordinance.
6. Applicant will comply with the requirements set forth in the T&M review letter dated 4-24-15, revised to 6-8-15, marked as exhibit PB-1.
7. Applicant will comply with the applicable Stipulations and Conditions set forth in the resolution granting the original preliminary and final site plan approval which is being amended by this application.

**BE IT FURTHER RESOLVED** that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of June 9, 2015; and

**BE IT FURTHER RESOLVED** that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

**BE IT FURTHER RESOLVED** that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant’s expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on June 23, 2015:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathy Morris, Secretary

Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

and

Seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Seconded by Boardmember Smith and adopted on the following roll call vote:

Ayes: Cashmore, Cunningham, Desio, Schussheim, Smith,

Beer.

Nays: Isoldi-Jany

Abstain: Leckstein, Long,

Absent: Nott, Schwartz, Marrone, DeGiulio.

**6. NEW APPLICATION**

**LINDA BOYCE  
32 WATERVIEW WAY**

**BLOCK 34 LOT 4**

Boardmember Beer was within 200ft of 32 Waterview Way Block 32 Lot 8.

The Applicants Architect, Gary Junkroft appeared and the following were marked into evidence

**A-1** Jurisdictional Packet

**A-2** Architectural plans by Kinetic Architects dated 5-4-15.

**A-3** Survey by Anthony Sereno dated 12-6-13

The Applicant Linda Boyce testified that her house was severely damaged by Superstorm Sandy and she wishes to demolish existing house and build a new single family home with a garage underneath. The current garage is detached and situated on the property line and will remain. This will allow for more off street parking with both detached garage and parking underneath new construction.

The applicants request for bulk variances for minimum lot where 4,000 s.f. is required and 2,250s.f. is existing and proposed. Lot width where 50 ft is required and 30 ft is existing and proposed. Front set back where 25’ is required and 5’ is existing and proposed. Both sides setbacks where 15’ is required and 8.4 is existing and 7’ is proposed. Building where 5 where 50% maximum is permitted and 56% is proposed. The height of the home will be 36.6’ No mechanicals will be located in the setbacks.

Chairman Cunningham opened the meeting to the public there were no public comments. Chairman Cunningham closed the public portion of the meeting.

The Board found that the site plan approval could be granted without any negative impact on the zoning ordinance.

Councilman Leckstein introduced a motion approving the Boyce application. Seconded by Boardmember Smith and approved on the following roll call vote.

Ayes: Cashmore, Cunningham, Desio, Leckstein, Schussheim, Smith,

Isoldi-Jany (Alt. 1) Beer (Alt2) DeGiulio (Alt4)

Nayes: None

Abstain: Beer

Absent: Long, Nott, Schwartz, Marrone(Alt3)

1. **RIVER STREET SCHOOL**

The River Street School was heard at the February 10, 2015 meeting adjourned to the April 14, 2015 meeting then carried to June9, 2015 meeting then re-noticed for June 23, 2015 the application is now being carried to the August 11, 2015 meeting.

**9. ADJOURNMENT:** There being no further business before the Planning Board Chairman Cunningham made a motion to adjourn the meeting at 9:15 P.M. Second by Boardmember Cashmore and approved upon unanimous voice vote.