

Vice-Chairman DeSio called the meeting to order and requested those present to join in the Pledge of Allegiance to the flag:

Vice-Chairman DeSio read the following 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 Link on January 20, 2011 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

3. ROLL CALL:

PRESENT: Beer, Cashmore (arrived at 8:04), DeSio, McBride, Nott, Torcivia, Smith, (Alt. #1) Leckstein (Alt. #2), Janey (Alt.#3)

ABSENT: Cunningham, Fernandes, Murphy

4. MINUTES:

A. Boardmember Smith introduced a motion approving the February 8, 2011 Unified Planning Board Minutes. Second by Boardmember Torcivia and approved upon the following roll call vote:

Ayes: Beer, DeSio, McBride, Torcivia, Smith, Leckstein

NAYS: None

ABSTAIN: None

ABSENT: Cashmore, Fernandes, Murphy

5. NEW BUSINESS:

A. Boardmember Smith introduced a motion approving the following resolution:

**SEA RAY TOWNHOUSES, LLC
1246 Ocean Avenue
Block 3 Lot 25
Sea Bright New Jersey**

Variance and amended site plan approval
for previously approved two-unit residential townhouse.

Attorney Higgins stated that all the Boardmembers present were not within 200 feet of the applicant. Martin McGann, Esq. represented the applicant, Sea Ray Townhouses, LLC.

- A-1 Jurisdictional Packet,
- A-2 Survey prepared by Charles Surmonte dated 11-3-10
- A-3 Sheet 3 of Preliminary and Final Site Plan prepared by Charles Surmonte dated 9-29-09
- A-4 Site Plan, Building and Zoning Information, prepared by Paul. A. Damiano, Architects, LLC dated 11-15-10, revised to 12-1-10
- A-5 Floor Plan prepared by Paul A. Damiano
- A-6 Picture Board containing 9 photos
- A-7 Colored rendering of A-4

Paul Damiano, Architect testified that there is a side yard setback of 14.3 feet and 15 feet is required and that a 14.5 ft. setback was previously approved by the Board. The side yards are 29.5 feet and 30 feet is required. Again, the 29 feet setback was previously approved. The rear yard setback is 6.0 feet and 10 feet is required. The property was granted variance and site plan approval in January 2010 by the board to demolish a one-story building and two sheds and to construct a two unit townhouse with two cabanas in the rear yard. Mr. Damiano stated that after the townhouse structure was completed, they realized that there were errors to the original survey.

Charles Surmonte, engineer and surveyor testified that a right of way by the Department of Transportation that was discovered on the original survey caused the entire lot shift back 4 feet.

Raymond Guzman, a member of Sea Ray LLC testified that they discovered that the survey was in error during a fence removal for the construction of the cabanas. Their neighbor Haik Mendes pointed out the discrepancy. Haik Mendes, owner of the adjacent rear property testified that he had no objection to the variances for the properties' side yard setback. He was pleased with the improvements to the property.

Vice-Chairman Desio said that the Applicant might consider buying or swapping land with Mr. Mendes. Mr. Mendes was not interested in selling his property to the Mr. Guzman at this time.

The Board Members agreed that the mistake concerning the survey was unintentional and that the sideyard variances were slight. The existing building could not be cut down in size for conformity purposes. The Board noted that the two-unit townhouse was a significant improvement compared to the prior condition of the property.

Second by Boardmember Cashmore and approved upon the following roll call vote:

Ayes: Beer, Cashmore, DeSio, McBride, Nott, Torcivia, Smith

NAYS: None

ABSTAIN: None

ABSENT: None

7. ADJOURNMENT:

There being no further business before the Planning Board Boardmember McBride made a motion to adjourn the meeting at 9:24 P.M. Second by Boardmember Nott and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan
Board Secretary