

**APPROVED MINUTES
VIRTUAL MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, JULY 28, 2020**

ADMINISTRATIVE MATTERS

Call to Order

Chairman Cunningham called the meeting to order at 7:32 p.m. and requested those present join him in the Pledge of Allegiance.

Chairman's Opening Statements

Chairman Cunningham read the following Compliance Statements:

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

The Borough of Sea Bright, in compliance with the Open Public Meetings Act, has provided the time, date, and location of this meeting to at least two designated newspapers, published same in the Asbury Park Press, the official newspaper, filed notice with the Borough Clerk, and posted notice on the Borough website and in the Borough Office.

Attendance Roll Call

Present: Cashmore, Cunningham, DeGiulio, DeSio, Kelly, Leckstein, Smith, Bills, Gorman

Not Present: Nott, Wray

Also in attendance: Board Attorney Kerry E. Higgins, Esq., Board Engineer David J. Hoder, and Board Secretary Candace B. Mitchell

Approval of 6/23/20 Minutes

Vice Chairman DeSio offered a motion to approve the minutes, with a second offered by Boardmember DeGiulio, and adoption upon the following roll call vote of eligible members:

Ayes: Cashmore, Cunningham, DeGiulio, DeSio, Smith

Nays: none

Abstain: Kelly, Leckstein, Bills, Gorman

Absent: Nott, Wray

Approval of 7/14/20 Minutes

Vice Chairman DeSio offered a motion to approve the minutes, with a second offered by Boardmember DeGiulio, and adoption upon the following roll call vote of eligible members:

Ayes: Cashmore, Cunningham, DeGiulio, DeSio, Kelly, Leckstein, Smith, Bills

Nays: none

Abstain: Gorman

Absent: Nott, Wray

ITEMS OF BUSINESS

Planning Board Review of River Properties Redevelopment Plan As Consistent With The Sea Bright Master Plan

Bl. 13, L. 13, 14, 15, 18, 20, 21, and 22

Bl. 14, L. 12 and 14

Bl. 15, L. 5, 8, 10, 11, and 12

Boardmembers Mayor Kelly and Heather Gorman stepped down from this review because properties owned by each are included on the 200' Certified Property List.

In attendance to present and discuss the Redevelopment Plans were Christine A. Nazzaro-Cofone, Professional Planner, and William J. Wolf, Esq. of Bathgate, Wegener & Wolf, PC, representing the Borough of Sea Bright in the Redevelopment Plan.

Exhibit SB-1 Plan for River Front Properties Redevelopment, dated April 2020, prepared by Christine Nazzaro- Cofone of the Cofone Consulting Group for the Borough of Sea Bright, was entered into evidence.

Board Attorney Higgins began by explaining that “the Board had made a determination to declare this area in need of redevelopment. The role of this Board at that time was to determine whether or not this area met the criteria for an area in need of redevelopment, which it did. The governing body is then responsible for implementing a redevelopment plan, and actually carrying out the redevelopment projects. The Board's job tonight is to determine whether or not that redevelopment plan comports with your master plan. So, you are not deciding whether or not you like the plan, whether it's good, bad, indifferent. It's just whether or not the plan is consistent with the goals of the Master Plan. Then it goes back to the governing body. The public will have a full opportunity to speak to the governing body about the nuances of the plan itself.”

Mr. Wolf introduced Ms. Cofone, who was sworn-in to testify, and was accepted by the Board as an expert in the field of planning.

Ms. Cofone described her involvement in the plan preparation and in the investigation of the area for redevelopment criteria. She stated that the plan is very consistent with Sea Bright's Master Plan and with the Land Use Ordinance. “The development of this Redevelopment Plan is exactly on point with the goal that was set in 2007, 13 years ago. What your master plan calls for was to spur development along Ocean, but to put some higher density tucked in the back, certainly infusing a critical mass of residential development. So I think that, certainly, when you look at this rich history, going back 31 years, or at least to 1989, it was consistent, I think it's important for the Board to consider that you consistently called for directing development with higher density residential development to the riverfront area. While I find that not only is it consistent with the FAFSA plan, it certainly goes a long way towards advancing, articulating, and achieving some other longstanding goals of Sea Bright.”

Board Attorney Higgins asked Ms. Cofone for clarification on several items, such as whether the purpose of the plan is to include several types of residential uses, and whether the plan promotes a pedestrian-friendly design. Ms. Cofone answered that the plan does that, and it also provides access to the river front, stating that the plan does not mandate anything specific. Ms Higgins suggested that the developer who proceeds will come in with designs of their own, adhering to design standards and developing within setback parameters. Ms. Cofone stated that tonight we are just comparing the plan with Master Plan standards. The plan is not site specific. Ms. Higgins explained that the Governing Body would enter into a much more specific agreement with a developer. After the Council enters into a Developer's Agreement, the Planning Board can make suggestions. At the current stage the Board's role is to make sure the Redevelopment Plan is consistent with the Master Plan.

Chairman Cunningham invited questions from the public.

Thomas Larkin, 4 Church Street, registered his concerns regarding traffic.

Christina Doxy, 9 Church Street, asked whether three ways in and out of the development area could be planned instead of two ways, citing traffic concerns.

Gareth Middleton, 22 Church Street, referring to the 2017 Master Plan document, stated the Master Plan seeks to change the business/residential designation to residential. He stated that his neighborhood would be impacted by the height of the single-family homes planned, and, also, there will be storm water challenges.

Linda Lamia, 2 Village Road, stated she is excited about the project. Her concerns lie in how the public space aspect will be assured. Councilman Leckstein assured Ms. Lamia that the Council will never approve the project without the public access aspect. Chairman Cunningham added that the Planning Board will also require public access.

Janet, from 12 River Street, asked about the timeline to address issues like traffic and the type of housing planned versus the Master Plan. Ms. Cofone answered that the housing will be consistent with the Master Plan. Ms. Higgins also offered that the Redevelopment Plan is saying what is allowed, and it is up to the developer to come up with the plan. Ms. Cofone added that the Redevelopment Plan is a concept plan, not a site plan.

The public portion of the hearing was closed and Chairman Cunningham asked for Board comments.

Boardmember DeGiulio stated the Redevelopment Plan is very well-written and well-thought-out. She stated that, in her opinion, it is fine to send this plan back to the Council to approve.

Boardmember DeGiulio offered a motion to accept the River Properties Redevelopment Plan as consistent with the Sea Bright Master Plan, seconded by Vice Chairman DeSio, and adopted on the following roll call vote:

Ayes: Cashmore, Cunningham, DeGiulio, DeSio, Leckstein, Smith, Bills

Nays: none

Abstain: Kelly, Gorman

Absent: Nott, Wray

Chairman Cunningham called a meeting break at 8:35 p.m. The meeting reconvened at 8:43 p.m.

Planning Board Review of Downtown Properties Redevelopment Plan As Consistent With The Sea Bright Master Plan

Bl. 15, L. 2, 3, and 4

In attendance to present and discuss the Redevelopment Plans were Christine A. Nazzaro-Cofone, Professional Planner, and William J. Wolf, Esq. of Bathgate, Wegener & Wolf, PC.

Exhibit SB-1 Plan for Downtown Properties Redevelopment, dated April 2020, prepared by Cofone Consulting Group for the Borough of Sea Bright, was entered into evidence.

Mr. Wolf re-introduced Ms. Cofone, who was again accepted by the Board as an expert in the field of planning.

Mr. Wolf, guiding the discussion, asked Ms. Cofone various questions about the Downtown Redevelopment Plan, and Ms. Cofone answered. She discussed how the three-property lot relates to the highway, to the subject property and the ocean, and to the other buildings. She reiterated that these plans, too, are concept plans, not site plans. Chairman Cunningham, considering permitted uses, asked whether the plan changes all of the uses. Ms. Cofone recommended a number of uses, such as a hotel and a plaza. Mr. Wolf stated that some of the uses will not change. Discussing the public benefit of the plan, Mr. Wolf asked Ms. Cofone's opinion about this plan compared to towns adjacent to Sea Bright. Ms. Cofone answered that adjacent towns will benefit. Mr. Wolf asked about this plan's consistency with the Monmouth County Master Plan, the State of New Jersey Redevelopment Plan, and the Borough's Master Plan. Ms. Cofone stated that the plan is consistent with all.

During discussion by the Board, Vice Chairman DeSio asked for clarification so that people can understand what is changing. Ms. Higgins explained that the plan creates principle uses for that Redevelopment Area. The plan goes to the Governing Body, the developer's agreement further designs the plan, and the site plan comes to the Planning Board for approval. Mr. DeSio stated that the plan doesn't conform to the current zoning. Chairman Cunningham answered that it doesn't, and it's not supposed to.

Mr. DeSio asked that the Council be respectful to those living in the downtown area when making their decisions. Chairman Cunningham expressed concern that the little building in between the existing hardware store and the proposed hotel will be shut off. Councilman Leckstein answered that the building is the former dry cleaning store and will be an open plaza. Mr. Cunningham stated that he hopes the Council will honor the people living in the next door building. Boardmember Gorman asked how the height of the proposed hotel relates to the current heights of buildings in the downtown area. Ms. Cofone answered it is about fifty feet and that this building is across the street from a parking lot. Boardmember Cashmore stated that he thinks it is overwhelming for that area.

Chairman Cunningham invited questions from the public.

Rich Tocci, from the building on the corner, said that he is not in favor of the hotel.

Paul Fernicola, an attorney representing the owner of Lot 2, Beachfront Joe's, asked if Ms. Cofone is aware of an agreement regarding that property. Ms. Cofone stated that she is not aware of any agreement. Mr. Fernicola asked whether the building as depicted on page 12 is consistent with the Borough's Master Plan. Ms. Cofone answered that it is a better zoning alternative. Mr. Fernicola asked whether page 13 depicts permitted principle uses. Ms. Cofone answered that Lot 2 calls for a public plaza. Mr. Fernicola asked whether any part of Lot 3 or Lot 4 was designated for public space, or was it just Lot 2? How was it decided to make Lot 2 open space? Why not include part of Lot 3 and Lot 4? Ms. Cofone stated that the plan is trying to balance development and space. The question was asked, what percentage does Lot 2 represent? Ms. Cofone answered that the percentage is tiny, and she estimated about 2%. Chairman Cunningham stated that the questions have nothing to do with the Master Plan, and we're talking about 20 feet. Mr. Fernicola stated that he is addressing the overall redevelopment, and asked whether it is inconsistent with the Master Plan if Lot 3 or Lot 4 were to be open space. Mr. Fernicola asked about page 17, which shows public plazas. He asked the size of the properties. Ms. Cofone responded that these are examples; just photos to demonstrate. Mr. Fernicola asked Ms. Cofone whether she could identify the locations of the six examples shown. Ms. Cofone responded, "no." Attorney Higgins explained that the plan is considering the area as a whole. She asked whether Lot 2 was the most appropriate area for open space like a public plaza, and Ms. Cofone said, "yes."

Rich Tocci again stated that he thinks the area should remain residential.

Chairman Cunningham closed the public portion.

Councilman Leckstein stated that he will take the public comments back to the Council.

Councilman Leckstein offered a motion to accept the Downtown Properties Redevelopment Plan as consistent with the Sea Bright Master Plan, seconded by Chairman Cunningham, and adopted on the following roll call vote:

Ayes: Cunningham, DeSio, Leckstein, Kelly, Smith, Bills, Gorman

Nays: Cashmore, DeGiulio

Abstain: none

Absent: Nott, Wray

CLOSING MATTERS

Meeting Announcement

There being no other business before the Board and no general public comments, the Chairman announced the next regular Meeting of the Planning Board is scheduled for August 25, 2020 at 7:30 p.m.

Adjournment

The meeting was adjourned at 9:46 p.m. on a motion offered by Councilman Leckstein, seconded by Boardmember Cunningham, and approved upon a unanimous voice vote by the Board members.

Respectfully submitted,

Candace B. Mitchell
Board Secretary