

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:

**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 January 20, 2012 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

**PRESENT:** Beer, Cashmore, Cunningham Leckstein, McBride, Nott, Torcivia, Smith (Alt. #1) Isoldi-Janey (Alt.#2).

**ABSENT:** DeSio, Long

**MINUTES:**

**A.** Boardmember Leckstein offered a motion approving the July 10, 2012 Unified Board Meeting Minutes. Second by Boardmember Smith and adopted upon the following roll call vote:

Ayes: Cashmore, Leckstein, Torcivia, Smith (Alt. #1) Isoldi-Janey (Alt.#2).

Nays: None

Abstain: None

Absent: DeSio, Long

**REVIEW AND RECOMMENDATIONS:**

The Board discussed Ordinance No. 11-2012 and requested that minor language be added to Section 130-3B(2) d) for clarification. The applicant would not need to come before the Board for either site plan approval or for a parking variance for five spaces or less.

The minor language to be added to the ordinance as follows:

"Additionally, if the one-time exemption is deemed to apply, the applicant shall not be required to obtain parking variance relief".

**A.** Boardmember Leckstein introduced a motion for the additional language be added and recommended its adoption to the Governing Body:

**ORDINANCE NO. 11-2012**  
**AN ORDINANCE REVISING CHAPTER 130, LAND USE,**  
**ARTICLE I, TITLE; PURPOSES; REQUIREMENTS,**  
**SECTION 130-3 REQUIREMENTS PARAGRAPH B**  
**OF THE CODE OF THE BOROUGH OF SEA BRIGHT**

Second by Boardmember Smith and adopted upon the following roll call vote:

Ayes: Beer, Cashmore, Cunningham, Leckstein, McBride, Nott, Torcivia, Smith (Alt. #1) Isoldi-Janey (Alt.#2).

Nays: None

Abstain: None

Absent: DeSio, Long

**6. OLD BUSINESS:**

A. Richard G. Sullivan withdrew his application.

**RICHARD G. SULLIVAN  
14 BADMINTON COURT  
BLOCK 16 LOT 18.01  
ZONE R-3  
CONSTRUCTION OF A  
SINGLE-FAMILY DWELLING**

B. Boardmember Leckstein was recused.No member of the board had a conflict or was within 200' of 1060 Ocean Avenue.

**FRANK NGO  
1060 OCEAN AVENUE  
BLOCK 16 LOT 6  
ZONE B-1  
MINOR SITE APPROVAL  
CONVERT SPACE TO A RESIDENTIAL UNIT  
WITHIN EXISTING RETAIL BUILDING**

- A-1:** Jurisdictional Packet.
- A-2:** Proposed Floor Plan for Apartment Conversion from Shean Chang Wang, Architect, dated 6/5/2012.
- A-3:** Survey prepared by Thomas P. Santry, P.A., dated 6/7/2011.
- A-4:** Survey prepared by Thomas P. Santry, P.A., dated 8/23/1976.

John Guinco, Esq. represented the applicant, Mr. Frank Ngo. The building contains two apartments upstairs with a liquor store on the first floor. The space in the rear of the building is designed as an apartment and has been unoccupied because of the ordinance prohibiting first floor residency. The applicant is seeking a waiver to the use variance permitting the first floor rear apartment to be occupied. There is adequate parking because the applicant owes property in the rear and will not interfere with any commercial aspects of the property.

Christine Nazzaro-Cofone, P.P. testified that the subject property has two tracts. The primary tract is where the two story masonry building is located and the second tract 2800 sf. is behind the building and used for parking, which fits approximately ten cars. The back of the liquor store is a one bedroom 482 sf apartment, which is currently fitted to be a residential apartment but is not immediately habitable. Access to the first floor apartment can be reached through the liquor store or to the

rear of the building.

In the B-1 Zone, the ordinance prohibits residential uses on the ground floor. The B-1 Zone talks about a thriving business corridor and the rear apartment will not have any negative impact. Having the apartment occupied would bring business to the local merchants. In 2007, the Borough did a master plan, which talked about having commercial uses on Ocean Avenue and to the west of Ocean Avenue for residential uses. This property is to the west of Ocean Avenue and not visible and is consistent with what the master plan envisioned. It promotes general welfare, establishes appropriate population densities and there is adequate parking.

Mr. Ngo testified that the residents are responsible to bring their garbage to the curb for pick-up. All tenants park in the rear of the building.

The Board agreed that tenants are required to park in the rear gravel lot, establish fenced garbage area for the garbage receptacles in the northeast corner of Lot 13, the applicant will be responsible for aesthetic improvements regarding weeding, painting, maintenance of the property and is subject to meeting of all the building codes.

Boardmember Cashmore introduced a motion approving this application. Second by Boardmember Nott and adopted upon the following roll call vote:  
Ayes: Beer, Cashmore, Cunningham, Leckstein, McBride, Nott, Torcivia, Smith (Alt. #1) Isoldi-Janey (Alt.#2).

Nays: None

Abstain: None

Absent: DeSio, Long

**ADJOURNMENT :**

There being no further business before the Planning Board Boardmember Leckstein introduced a motion adjourning the meeting at 8:15 P.M. Second by Boardmember Smith and approved upon unanimous voice vote.

Respectfully Submitted,

Suzanne Branagan  
Board Secretary