

1. Chairman Cunningham called the meeting to order and requested those present to join in the Pledge of Allegiance to the flag.

2. Chairman Cunningham 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 Asbury Park Press and filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

**3. ROLL CALL:**

**PRESENT:** Beer, Cashmore, Chairman Cunningham, DeSio, Councilman Leckstein, Mayor Long, McBride, Nott, Torcivia, Smith, (Alt. #1) Isoldi-Jany (Alt.#3)

**ABSENT:** None

**4. Nomination and appointment of temporary secretary for the Planning Board:**

**A.** Marc Leckstein introduced a motion approving the nomination of Colleen McGurk for temporary Planning Board secretary. Second by Boardmember Smith and approved upon the following roll call vote:

Ayes: Beer, Chairman Cunningham, DeSio, Councilman Leckstein, Mayor Long, McBride, Nott, Torcivia, Smith, Isoldi-Jany.

Nays: None

Abstain: Cashmore

Absent: None

**5. Resolution**

Boardmember McBride introduced a motion memorializing the resolution for Edgewater Beach and Cabana Club (Block 4, Lot 6). Second by Boardmember Torcivia and approved upon the following roll call vote:

Ayes: Cashmore, Chairman Cunningham, DeSio, Mayor Long, McBride, Nott, Torcivia, Beer, Smith, Isoldi-Jany.

Nays: None

Abstain: None

Absent: None

## 6. NEW BUSINESS:

### A. Ordinance No. 2-2013

**An ordinance revising Chapter 115, Flood damage prevention; and revising Chapter 130, Land Use, Article II, Definitions and word usage, Section 130-5 Definitions; and Article VII, area, bulk and use requirements , Section 130-59 Design standards for specific uses; and Section 130 Attachment 1, Schedule of lot and building requirements.**

Chairman Cunningham explained the purpose of the ordinance. Boardmember DeSio questioned the proposed change from calculating the building height from the crown of the road to the elevation of the building (average of the four corners). Township Engineer, Jaclyn Flor explained that measuring from the building elevation would help the majority of residents and that this is the current standards by which most municipalities utilize and would update the Borough ordinance and bring it into conformance with other towns. Also paving the roadway by several inches could impact existing residents the ability to increase building height. Boardmember DeSio felt that that the crown of the road was a more standardized way to measure building height. Boardmember McBride questioned whether residents would fill in their property and Jaclyn Flor stated that it is measured from the existing grade and filling in the property would not be permitted. Marc Leckstein clarified that the language is the original grade therefore preventing the ability for someone to berm their property or install retaining walls. Boardmember DeSio stated that residents may fill in the property prior to seeking a permit. Jaclyn Flor stated that a grading plan approval is necessary for fill but there is nothing that can be done if someone illegally fills in the property. Boardmember Nott expressed concern that the new ordinance is confusing and inconcise. Boardmember McBride stated that overall the point of the new ordinance is to help the majority of residents raise their houses above floodlevel. Boardmember McBride asked whether or not we could raise the height further to accommodate people below the level of the road. Borough Attorney McNamara stated that the BFE plus 2 is easier to utilize when measuring from the building elevations as opposed to the crown of the road and that crown of the road is not the common method. Boardmember DeSio questioned whether someone with an existing variance to build a dwelling would they be allowed to further raise the house the additional height to meet the BFE plus two. The Borough Attorney, Mr. McNamara, stated that this additional height maximum limit of 42' should prevent the need for that. Boardmember Torcivia questioned whether the finished floor should be two feet above the BFE. Jaclyn Flor, clarified that the flood plain ordinance in the V Zone states the bottom of the

floor or specifically the floor joists is where it is measured from but in the A Zone it is measured from the finished floor elevation. And that this will be all reviewed by the flood plain manager. Boardmember DeSio asked whether or not this would be a new position and new hire. Mayor Long explained that since there will be so many substantially damaged dwelling it is necessary to hire a part time person as the Flood Plain Manager.

Boardmember Nott questioned the highest point of the roof and whether or not someone could build a nine foot parapet. Jaclyn Flor stated that she believes parapets and other architectural features are limited to a maximum of three feet. He also questioned the language regarding deck level for mansard roofs and what a deck level is and the highest point. He felt the word deck was ambiguous and the Board agreed to change the language from deck to roof plane level. The Borough attorney, Mr. McNamara stated that this language did not change the meaning of the ordinance and could therefore move forward rather than reintroduce the ordinance. Therefore, the Planning Board recommends that the word "deck" be removed and replaced with "roof plane level".

The discussion moved onto the definition of Construction Code Official and Councilman Leckstein stated the definition has been added so that it is in both the flood plain ordinance and the land use ordinance. This was done so that it would be clear that the Flood Plain Official was assisting the Construction Code Official not superceding him/her.

Boardmember DeSio stated he was concerned with the raising of dwellings with regards to fire safety since a dwelling could be 42 feet in height but only two and a half stories. This might not be safe if a fire were to start on the first floor and nothing in the fire code requires additional measures by the height of the building whereas it would if the building were three stories. No increased fire safety measures are required for two and a half story dwellings. The Borough attorney, Mr. McNamara stated and the Board agreed that this is something that should be addressed upon re-examination.

The meeting was open to the public and no one wished to be heard.

Boardmember DeSio introduced a motion approving Ordinance 2-2013. Second by Boardmember Marc Leckstein and then approved by way of a unanimous voice note.

**B. Proposal by T & M to prepare Re-Examination of the Master Plan**

Boardmember DeSio recommends that the Borough utilize T & M to prepare the re-exam.

Boardmember Cashmere introduced a motion affirming the appointment of T & M to prepare the Master Plan Re-examination. Second by Boardmember Smith and approved upon the following roll call vote:

Ayes: Beer, Cashmore, Chairman Cunningham, DeSio, Councilman Leckstein, Mayor Long, McBride, Nott, Torcivia, Smith, Isoldi-Jany.

Nays: None

Abstain: None

Absent: None

**C. Formation of Re-examination of the Master Plan Committee**

Boardmember Nott was nominated by Boardmember Desio and Boardmember Nott nominated Councilman Leckstein. Both accepted. Boardmember DeSio was also nominated by Chairman Cunningham. Councilman Leckstein nominated Chairman Cunningham to be part of the committee and he accepted.

Boardmember Leckstein introduced a motion affirming the formation of a Master Plan Re-Examination Committee consisting of Chairman Cunningham, Councilman Leckstein, Mr. Nott and Mr. Desio. Second by Boardmember McBride and approved upon the following roll call vote:

Ayes: Beer, Cashmore, Chairman Cunningham, DeSio, Councilman Leckstein, Mayor Long, McBride, Nott, Torcivia, Smith, Isoldi-Jany.

Nays: None

Abstain: None

Absent: None

Meeting was then opened to the public. No public comment. Public portion was closed.

**6. ADJOURNMENT:**

There being no further business before the Planning Board Boardmember DeSio made a motion to adjourn the meeting at 9:00 P.M. Second by Boardmember McBride and approved upon unanimous voice vote.

Respectfully Submitted,

Colleen Mcgurk  
Board Secretary