

**Sea Bright, New Jersey
Unified Planning Board Minutes
October 14, 2014
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 January 11, 2014 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

3. ROLL CALL:

PRESENT: Cunningham, Desio, McBride, Smith, Isoldi-Jany(Alt.#1)

ABSENT: Beer, Cashmore, Davis, Leckstein, Long, Marrone(Alt#3), Nott,

4. Chairman Cunningham introduced a motion approving the September 9, 2014 minutes. Seconded by Boardmember McBride and approved by unanimous voice vote.

5. MEMORIALIZATION OF RESOLUTION:

Chairman Cunningham carried the memorialization of the Donald Macdonald resolution for the October 28, 2014 meeting.

6. NEW BUSINESS:

**Jon & Holly Schwartz
24 Longview Way
Block 2 Lot 24**

The applicant seeks bulk variances to add stairs to the new rear deck and stairs to the front of an existing family residence. The applicant seeks bulk variances for front setbacks where 25' is required and 19.' Is proposed and rear setback where 15' is required and 11' is proposed?

The applicant has provided due notice to the public and all surrounding property owners within the 200ft.

The applicant appeared and marked into evidence certain documents including the following.

A-1: Jurisdictional Packet

A-2: Architectural plans prepared by Anthony Condouris dated 3-10-14

Chairman Cunningham opened the meeting to the public there was no public comment.

The Board found that the shape of the lot and the layout of the house warranted the minor variances. The Board felt that the house was an improvement to the neighborhood. Boardmembers noted that having two means of ingress and egress was an important safety feature in case of a fire.

Boardmember Smith introduced a motion approving the Macdonald application. Seconded by Boardmember McBride and approved on the following roll call vote.

Ayes: Cunningham, Desio, McBride, Smith, Isoldi-Jany, Beer.

Nays: None.

Abstain: None.

Absent: Beer, Cashmore, Davis, Leckstein, Long, Marrone, McBride, Nott,

ORDINANCE REVIEW

ORDINANCE #17-2014

Amending and supplementing chapter 130 Land Use, Article IX Design Standards, Section 130-59

The planning board discussed the following ordinance and has made recommendations per letter written by Chairman Cunningham.

Dear Mayor and Council:

Please be advised that the Planning Board reviewed proposed Ordinance #14-2014 at its meeting of October 14, 2014. The Board had numerous concerns with the proposed ordinance. The Board felt that bulkheads are controlled by the NJDEP. It was recommended that the ordinance be limited to requiring the 7' elevation for all new bulkheads and those damaged more than 50% and being repaired. The Board felt that all other provisions should be eliminated as jurisdiction for same lies with DEP.

If the governing body determines to include the additional language, the Board recommended

changes as follows:

1. This ordinance applies to locations that abut the Shrewsbury River and/or the Sandy Hook Bay. In areas where beach exists along the river, new bulkheads will not be required; however, previously existing bulkheads and any new bulkheads shall be maintained and improved in accordance with DEP regulations.
2. All newly constructed bulkheads, bulkheads repaired that exceed more than 50% of the linear foot of bulkhead on the property, and damaged bulkheads that are not "partially destroyed," as defined above in Section B, shall be constructed at a minimum elevation of 7 feet (NAVD88) and shall be constructed of steel, aluminum, vinyl or other DEP approved material. In the event connections are made to adjacent bulkheads, same shall be constructed in a manner to provide a water tight connection.

Should you have any questions, please do not hesitate to refer them back to the Planning Board for consideration.

Very truly yours,

C. LANCE CUNNINGHAM,
Chairman

7. REDEVELOPMENT STUDY RFP DRAFT REVIEW

State grant funds require the Borough to get RFP. The planning board approved the draft RFP to be advertised in the APP on October 17, 2014. A resolution awarding professional services contract regarding investigation for redevelopment areas will be awarded at the November 11, 2014 planning board meeting.

REQUEST FOR PROPOSAL

To Assist In The

Preparation of a Preliminary Investigation

as to

Whether Certain Identified Areas are in Need of Redevelopment

Issued by

Borough of Sea Bright Planning Board, New Jersey

County of Monmouth

Date Issued: October 17, 2014

Responses Due by 4:30PM EST on:

November 3, 2014

Borough of Sea Bright/Monmouth County Consultant Selection Schedule

Issue RFP

October 17, 2014

Response Due Date

November 3, 2014

1.0 BACKGROUND INFORMATION

The Borough of Sea Bright, Monmouth County, was significantly affected by Superstorm Sandy in October, 2012, with millions of dollars in property damage to private and public properties. Nearly every property in the Borough was damaged to some degree from the effects of wind, riverine flooding, and coastal flooding. The catastrophic nature of the storm created numerous issues related to land development and redevelopment. The Borough Council has authorized the Borough Planning Board on April 22, 2014 (Resolution 68-2104) to undertake a preliminary investigation to determine whether certain areas are areas in need of redevelopment, pursuant to New Jersey's Local Redevelopment and Housing Law (LRHL). A copy of that resolution, listing the blocks and lots, is attached to this RFP. Having such an investigation prepared will allow the Borough to determine whether to pursue further the redevelopment planning process for some or all of those areas.

The Borough Planning Board is seeking the assistance of an individual or firm **licensed by the State of New Jersey as Professional Planners and AICP certified** to provide professional planning services for the preparation of a preliminary investigation study and report to determine whether certain identified areas qualify as an area in need of redevelopment pursuant to the LRHL.

The Borough of Sea Bright anticipates receiving a grant through the Post-Sandy Planning Assistance Grant Program of the NJ Department of Community Affairs for the development of a Preliminary Investigation as to Whether Certain Areas are in Need of Redevelopment for the Borough.

1.1 PURPOSE AND INTENT OF REQUEST FOR PROPOSAL

The purpose of the project is to prepare for the Borough of Sea Bright Planning Board a preliminary investigation as to whether certain identified areas are in need of redevelopment that will allow the Borough to determine what, if any, future redevelopment related steps may be necessary. The Borough intends to hire a professional planner or planning firm who will provide the technical assistance to complete this investigation and make recommendations to the Borough's Planning Board.

1.2 CONTENTS OF THE PROPOSAL

The Preliminary Investigation will serve as the guiding document for actions by the Planning Board as to their recommendation to Council regarding any other steps to be taken in the redevelopment planning process. The successful bidder will provide a proposal that will allow the Borough to expeditiously determine its course of action. Previous relevant experience with municipal redevelopment planning should be highlighted.

The proposal to assist the Borough Planning Board to prepare a Preliminary Investigation as to Whether Certain Areas are in Need of Redevelopment shall incorporate the tasks and deliverables listed in Section 2.0 Scope of Work and Components of Investigation. The Preliminary Investigation and all contract deliverables must be completed within a two-month contract term.

Any awards made through the Post Sandy Planning Assistance Grant program will be subject to the Community Development Block Grant Disaster Recovery (CDBG-DR) regulations and the New Jersey DCA CDBG-DR Action Plan, as approved by the United States Department of Housing and Urban Development (HUD).

1.3 PROPOSAL SUBMISSION AND DEADLINE

An original, one "hard" copy and one digital copy of the proposal shall be submitted no later than November 3, 2014 by 4:30 p.m. EST. All proposal submittals should be delivered by hand, first class mail or via email by the referenced due date to the contact person specified below.

**Joseph L. Verruni
Acting Administrator/Clerk,
Borough of Sea Bright
1167 Ocean Avenue
Sea Bright, New Jersey 07760
verruni@gmail.com**

Please note that any State or Federal suspension, debarment, or disqualification action against a consultant or any member of the consultant's team will render them ineligible to participate in this project.

Proposals are considered public information, except as may be exempted from public disclosure by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law.

1.4 COLLABORATIONS AND SUBCONTRACTS

Any proposal that relies on collaboration between consultants, who are not formally affiliated, must include a signed copy of the agreement between the authorized signatories of the parties to the proposal. Any subcontractors to be engaged by the entity preparing the proposal must be identified in the proposal.

2.0 SCOPE OF WORK AND COMPONENTS OF THE PRELIMINARY INVESTIGATION

The proposal to assist the Borough to prepare a Preliminary Investigation shall incorporate the tasks listed below and the deliverables listed below.

The Preliminary Investigation and all contract deliverables must be completed within a two-month contract term.

The consultant will undertake a redevelopment study and prepare a preliminary investigation report for the identified areas (the "Report"). The Report will analyze these areas determine if all or a portion of them meets the statutory criteria as set forth in N.J.S.A. 40A:12A-5 and, therefore, qualifies as an area in need of redevelopment. As part of this analysis, the consultant will prepare a map delineating the boundaries of the proposed redevelopment area and the various parcels located within the it.

The consultant will document the physical and economic conditions existing within these identified areas and review relevant data and information in order to determine whether all or a portion of them is in need of redevelopment. As part of the preliminary investigation, the consultant will undertake a site visit and field investigation to identify existing conditions and uses in those identified areas. The consultant is responsible for obtaining permission from the property owners to conduct on-site investigations and interior examinations of the buildings and structures as may be necessary. The Borough will help the consultant when necessary in scheduling such inspections. The consultant should utilize a licensed engineer as needed for purposes of evaluating the physical condition of buildings in these areas. Alternatively, the consultant will record on-site conditions as best as practicable from the public rights-of-way and aerial photographs where permission is not granted.

Data and records for these identified areas are to be obtained and reviewed by the consultant. These may include Borough tax assessment, building, housing, fire, health, crime, property maintenance code enforcement records, planning and zoning applications as applicable; aerial photos and maps including available state and county GIS data; New Jersey Department of Environmental Protection (NJDEP) data on known contaminated sites, and state and national historic registers information. The Borough will assist where necessary in obtaining these records, background data and information, but it is the responsibility of the consultant to collect and analyze this information.

Task A. Project Coordination

The consultant will undertake initial project organization, including a kick-off meeting with Borough representatives.

Task B. Project Tasks

1. Site visit/field investigation
2. Preparation of an Existing Conditions report
3. Preparation of a preliminary investigation study for the Borough of Sea Bright Planning Board, which shall include a description of the physical, economic and other relevant conditions within the identified areas, a review of the zoning and master plan designations for the areas, existing land uses, building and environmental conditions, site layout, an analysis of the subject properties and the surrounding neighborhood, review of applicable studies and background documentation, history and status of any project approvals for the identified areas, an analysis describing how the area meets the statutory criteria, and all relevant documentation, including photographs and maps, to support the conclusion that all or a portion of the identified area is or is not in need of redevelopment. The Report shall also contain an aerial photograph of the area and other maps and graphics to illustrate and support the planning analysis contained in the Report.
4. Preparation of a map showing the boundaries of the proposed redevelopment area(s) and the location of the various parcels of property included therein. There shall be appended to the map a statement setting forth the basis for the investigation
5. Testimony Preparation and Presentation
Necessary exhibits and a PowerPoint presentation shall be provided by the consultant for purposes of providing oral testimony before the Sea Bright Planning Board regarding the findings of the

Preliminary Investigation Report. The consultant will need to utilize their own computer and projector for this presentation.

TASK C: Meetings

The meetings phase will include three (3) meetings with the Borough, which may include the Planning Board and the Borough Council and at least one (1) public hearing as described in the LHRL.

TASK D: Monthly Reporting to NJ Department of Community Affairs.

The consultant will submit monthly reports to the NJ Department of Community Affairs pursuant to the requirements of the Post-Sandy Planning Assistance Grant Program and provide the appropriate documentation to comply with the state regulations for the grant award.

DELIVERABLES

1. Preliminary Investigation as to Whether Certain Areas are in Need of Redevelopment.
2. Power Point or similar presentation and presentation materials
3. Monthly Status reports to NJDCA.

2.1 CONSULTANT FEE

Interested parties should submit a fee proposal, itemized by task, with hourly rates for staff that will be working on this project, not to exceed \$10,000.

3.0 SUBMISSION REQUIREMENTS

The following information shall be included in the Proposal:

- a) RFP Title Page
- b) Name of firm, individual or institution submitting proposal
- c) Professional credentials of all individuals working on project
- d) Resume of project manager and contact information
- e) Proposed scope of work
- f) Proposed fee for all deliverables broken down by task and staff person performing task
- g) Timetable for project deliverables
- h) Completion date for all deliverables
- i) Examples of similar work products – up to three
- j) Copy of collaboration/subcontract agreements, if applicable
- k) Firm, individual or institution ownership information
- l) Budget

4.0 SELECTION OF CONSULTANT

All proposals submitted by the due date to the contact person named herein will be evaluated by the Borough and selected on the basis of quality of the proposal, timetable proposed, fee amount, and the

experience and credentials related to redevelopment of the firm, individual or institution submitting the proposal.

The proposal selected by the Planning Board will be subject to the acceptance of a mutually agreeable contract.

The Borough reserves the right to award a contract to undertake all or a portion of the tasks outlined above or to reject all proposals.

ATTACHMENT: Resolution 68-2014, Adopted April 22, 2014

**RESOLUTION NO. 68-2014
AUTHORIZING THE PLANNING BOARD TO UNDERTAKE A
PRELIMINARY INVESTIGATION FOR REDEVELOPMENT**

Councilmember Leckstein offered the following resolution and moved for its adoption; seconded by Councilmember Kelly:

WHEREAS, the Borough of Sea Bright Planning Board adopted the official Borough of Sea Bright Master Plan pursuant to N.J.S.A. 40:55D-28(a) on April, 1989 and subsequently adopted a re-examination report to said Master Plan on November 11, 2008; and

WHEREAS, the official Borough of Sea Bright Master Plan and re-examination report provide that various locations throughout the Borough of Sea Bright should be considered for designation as redevelopment areas pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, N.J.S.A. 40A:12A-6, authorizes the governing body of a municipality, by Resolution, to authorize its Planning Board to conduct a preliminary investigation to determine whether any area of the municipality is an area in need of redevelopment; and

WHEREAS, the Mayor and Borough Council of the Borough of Sea Bright consider it to be in the best interest of the Borough to have the Borough of Sea Bright Planning Board conduct such an investigation regarding property known on the Borough of Sea Bright Tax Maps as listed below:

PROPERTY

- | | | |
|------------------------------------|----------------------------------|---|
| 1. Shrewsbury River Properties | Block 13
Block 14
Block 15 | Lot(s) 13, 14, 15, 18, 20, 21, 22
Lot(s) 12, 14
Lot(s) 5, 8, 10, 12 |
| 2. Sea Bright Pharmacy | Block 15 | Lot 2 |
| 3. Sea Bright Cleaners | Block 15 | Lot 3 |
| 4. Sea Bright School Property | Block 15 | Lot 4 |
| 5. Post Office to Rumson Bridge | Block 17 | Lot(s) 4,5 |
| 6. Municipal/Peninsula Parking Lot | Block 23 | Lot(s) 1, 2.01, 2.02 |

, and

WHEREAS, the present buildings and improvements or lack thereof at the aforementioned areas by reason of obsolescence and/or general deterioration and/or design and obsolete layout or non-existence thereof may be detrimental to the safety and welfare of the community thereby requiring redevelopment to better serve the Borough of Sea Bright.

1. The buildings are substandard, unsafe, dilapidated or obsolete or are so lacking in light, air or space as to be conducive to unwholesome living or working conditions;

2. The discontinuance or abandonment of buildings used for commercial, manufacturing or industrial purposes; the abandonment of such buildings, or the same being allowed to fall into such a state of disrepair as to be uninhabitable;
3. Land that is owned by the municipality or unimproved vacant land that has remained so for a period of ten (10) years prior to adoption of this resolution and that by reason of its location, remote less, lack of access or topography, is not likely to be developed through the instrumentality of private capital;
4. Areas with buildings or improvements which by reason of dilapidation, obsolescence, overcrowding, excessive land coverage, deleterious land use or obsolete layout, or a combination of these factors, are detrimental to the public safety, health, morals or welfare of the community;
5. Lack of or complete underutilization of areas caused by condition of title, diverse ownership, or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable to contributing to and serving the public health, safety and welfare;
6. Areas in excess of five contiguous areas that have been destroyed or demolished or altered by natural catastrophe in such a way that the aggregate assessed value of the area has been materially depreciated;
7. Properties that are located in an urban enterprise zone;
8. The designation of the delineated area is consistent with Smart Growth planning principles adopted pursuant to Sate law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of Sea Bright of the Borough of Sea Bright, County of Monmouth, State of New Jersey, that:

1. The Planning Board of the Borough of Sea Bright be directed to conduct preliminary investigations to determine whether the aforementioned areas in the Borough of Sea Bright are areas in need of redevelopment according to the criterion in , N.J.S.A. 40A:12A-1 et seq.; and
2. The staff of the Planning Board and its consultants be directed to assist the Planning Board in conducting the blight investigation; and
3. The preliminary investigations be submitted to the Mayor and Borough Council for its review and approval in accordance with the provisions of the Municipalities and Counties Redevelopment and Housing Law , N.J.S.A. 40A:12A-1.

Roll Call: Bills, Keeler, Kelly, Leckstein, LoBiondo, Murphy
 Yes absent Yes Yes Yes Yes

April 22, 2014

CERTIFICATION

I, Christine Pfeiffer, Deputy Clerk, do hereby certify that the foregoing is a Resolution adopted by the Borough Council of

the Borough of Sea Bright, County of Monmouth, State of
New Jersey, at a Council Meeting held on April 22, 2014.

Christine Pfeiffer, Deputy Clerk

ADJOURNMENT:

There being no further business before the Planning Board Boardmember Smith made a motion to Adjourn the meeting at 8:35 pm. Seconded by Vice Chairman Desio and approved on a unanimous vote.

Respectfully Submitted

Kathy Morris
Board Secretary