**Sea Bright, New Jersey**

**Unified Planning Board Minutes**

**April 28, 2015**

**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 December 11, 2015 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office**.**

**3.** **ROLL CALL:**

**PRESENT:** Cunningham, Desio, Leckstein, Long, Nott, Schussheim, Smith

 Isoldi-Jany(Alt.#1) Beer (Alt.2) ( Marrone (Alt.3)

 **ABSENT:** Cashmore

**4.** Chairman Cunningham introduced a motion approving the February 24, 2015 Minutes Seconded by Boardmember Desio and approved by unanimous voice vote.

**5**. Chairman Cunningham announced that The Gaiters Village application, 150 Ocean Avenue will not be heard tonight and the applicant will re notice.

**5. NEW BUSINESS**

**MATTHEW KEAN**

**10 CENTER STREET**

**BLOCK 9 LOT 14**

No Member of the Board had a conflict or was within 200ft of 10 Center Street Block 9 Lot 14

The Applicant appeared and the following were marked into evidence

**A-1** Jurisdictional Packet

**A-2** Survey by Seneca Survey dated 1-28-14

**A-3** Plot Plan by Gravatt Consulting dated 8-15-14

**A-4** Floor plans, undated, prepared by Applicant.

**A-5** Elevations prepared by Applicant

**A-6** Photos of subject property

**A-7** Photos of rear of subject property

**A-8** Revised plans

**A-9** Revised elevation plan

**A-10** Revised plot plan

Matthew Kean testified that he wishes to raise and move the existing move it back two feet and add a first and second floor deck to the front of house and a platform in the rear for an air conditioning unit.

The Applicant seeks bulk variances for front yard setbacks where 5’ is required and 4.02’ is proposed and rear yard where 15’ is required and 4.68’ is proposed.

The Board had concerns that the existing shed on property was located over the property line. The Applicant stipulated that the shed would be moved to sit completely on the subject property.

Chairman Cunningham opened the meeting to the public there were no public comments. Chairman Cunningham closed the public portion of the meeting.

The Board found that the variances were warranted for the proposed site.

Councilman Leckstein introduced a motion approving the application. Second by Boardmember Desio and approved on the following roll call.

**AYES: Cunningham, Desio, Leckstein, Long, Schussheim, Smith, Isoldi-Jany, Beer, Marrone.**

**NAYS: None**

**ABSTAIN: Nott**

**ABSENT: Cashmore, Marrone**

**6. MEMORIALIZATION OF RESOLUTION:**

Councilman Leckstein introduced a motion approving the following application.

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD**

**GRANTING SITE PLAN AND VARIANCE APPROVAL**

**RE: Matthew Kean**

**10 Center Street**

**Block 9 Lot 14**

**Sea Bright, New Jersey**

**WHEREAS,** Matthew Kean (the “Applicant”) made application to the Planning/Zoning Board of Sea Bright (the “Board”) for property known as Block 9, Lot 14 on the Tax Map of the Borough of Sea Bright, also known as 10 Center Street for bulk variances to raise and move the existing house, add a first and second floor deck to the front and a platform in the rear for the air conditioning unit; and

**WHEREAS,** the Applicant seeks bulk variances for front yard setback where 5’ is required and 4.02 is proposed and rear yard where 15’ is required and 4.68 is proposed; and

**WHEREAS**, Applicant has provided due notice to the public and all surrounding property owners as required by law, has caused notice to be published in the official newspaper in accordance with N.J.S.A. 40:55D-1 et seq. and, therefore, this Board has accepted jurisdiction of the application and has conducted public hearing on the matter at meetings on February 10 and February 24, 2015, at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant appeared and marked into evidence certain documents including the following:

**A-1**: Jurisdictional Packet

**A-2:** Survey by Seneca Survey dated 1-28-14

**A-3:** PlotPlan by Gravatt Consulting daed 8-15-14

**A-4:** Floor plans, undated, prepared by Applicant

**A-5:** Elevations prepared by Applicant

**A-6:** Photo of subject property

**A-7:** Photo of subject property

**A-8:** Photo of subject property

**A-9:** Photo of rear of subject property

 **A-10** Revised plans Kean residence –floor plans

 **A-11** Revised elevation plan-cross section labeled site plan

 **A-12** Revised plot plan by Grautt Consultants revised to 2-13-15

 **WHEREAS**, the Board considered the testimony and evidence presented and the Board makes the following findings of fact and conclusions of law:

1. The Applicant wishes to raise the existing single family home and move it back 2 feet. Applicant will enlarge the front first floor deck and add a front second floor deck over the first floor deck, leaving a front yard setback of 4.02. Applicant will add a platform to the rear for the a/c unit, leaving a rear yard setback of 4.68. The distance from the rear property line to the main structure will be 7.63. The house was damaged by Superstorm Sandy. Elevating the house will protect it from further flood danger. Enlarging the front decks will provide a more aesthetic and more useable deck area for the residents. The rear platform will further protect the a/c unit from flood damage.
2. The Board expressed concern that the existing shed 12.4x14.4 was located over the subject property line. Accordingly, the Applicant **STIPULATED** that the shed would be moved to sit completely on the subject property.

3**.** The Board found that the requested bulk variances were not excessive and improved the safety, enjoyment and layout of the home.

 4. The subject property has been subject to flooding and was damaged by Superstorm Sandy. The elevated house with the bulk variances is consistent with the other homes in the neighborhood.

 5. The Board found that the proposed plan will protect the living space from flood danger and provide a safer living environment. Adding a second floor deck and enlarging the first floor deck will not have a negative impact on the neighborhood or on the zone plan.

 6. The Board found that the bulk variances are consistent with the neighborhood and the pre-existing dwelling. The proposed design and layout will add to the safety of the property and make for a better and more aesthetically pleasing home.

 7. The Board found that the variances could be granted without any negative impact on the zoning ordinance or zone plan. The proposal is the least obtrusive and improves existing conditions.

 8. The Board found that the granting of the variances will have no substantial detrimental impact on surrounding properties nor will it substantially impair the intent and purpose of the zone plan and zoning ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning/Zoning Board of the Borough of Sea Bright that the Application with the bulk variances set forth above described is approved in accordance with the plans submitted and marked into evidence, subject to the following conditions:

**GENERAL CONDITIONS**

 1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

 2. The applicant must obtain the approval of all necessary and appropriate governmental agencies and compliance with all governmental regulations, including but not limited to CAFRA, except those specifically waived or modified in this Resolution.

 3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits.

 4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied by the Board in granting this approval. This condition shall be a continuing condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

 5. All stipulations agreed to on the record, by the applicant.

 6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

 7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality’s professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

 8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

 9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

**SPECIFIC CONDITIONS**

 1. The shed will be moved to be completely on the subject property.

**BE IT FURTHER RESOLVED** that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of February 24, 2015; and April 28, 2015.

**BE IT FURTHER RESOLVED** that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

**BE IT FURTHER RESOLVED** that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant’s expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Kathy Morris, Secretary

 Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

and

Seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Lance Cunningham, Chairman

 Sea Bright Planning/Zoning Board

Seconded by Boardmember Desio and adopted on the following roll call vote:

Ayes: Cunningham, Desio, Leckstein, Long, Nott, Schussheim, Smith, Isoldi-Jany, Beer.

Nays:

Abstain: Marrone

**MICHEAL CHAMBERS**

**39 SHREWSBURY WAY**

**BLOCK 27 LOT 2**

This application was carried from the March 24, 2015 meeting. The existing lot contains two separate detached structures front and rear. Applicant proposes to raise structures and second story addition, roof deck and stairs.

Kevin Kennedy Esq. asked for an adjournment and stated that the Applicant will revise plans. The Applicant will re notice.

**9. ADJOURNMENT:** There being no further business before the Planning Board. Chairman Cunningham made a motion to adjourn the meeting at 9:30 P.M. Second by Councilman Leckstein and approved upon unanimous voice vote.

Respectfully Submitted,

Kathy Morris

Unified Planning Board Secretary