

**SPECIAL MEETING OF THE
SEA BRIGHT PLANNING/ZONING BOARD
THURSDAY, May 18, 2017
7:30 P.M.**

1. FLAG SALUTE:

2. Opening Statement: 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 it with the clerk and posted notice on the bulletin board in the Borough Office.

3. ROLL CALL:

Cashmore ___ Cunningham ___ DiGulio ___ DeSio ___

Leckstein ___ Long ___ Schwartz ___ Nott ___ Smith ___

Duffy (Alt#1) ___ McGinley (Alt#2) ___

4. KELLY MANAGEMENT GROUP

D/B/A MAD HATTER

10 EAST OCEAN AVENUE

BLOCK 19 LOT 3

The Agenda for the meeting (to the extent known) will include a de novo review of the Resolution Granting Site Plan and Variance Approval to Kelly Management Group, d/b/a Mad Hatter , Board deliberations thereon, and possible action on the above Application:

The Applicant filed a development application for site plan approval with bulk variances to demolish the Superstorm Sandy damaged existing site improvements and re-construct a new elevated restaurant on the first and second floor with a boardwalk area and retail kiosks on the ground floor with bulk variances.

Ordinance Section 130-50.0 requires a minimum front yard setback of 25 feet/east and 0 feet/west. The subject property has three front yards abutting Wayne Street to the east, East Surf Street to the north and East Ocean Avenue to the west.

Public hearings on the application were held on November 12, 2015, February 9, 2016, March 10, 2016, April 5, 2016, April 26, 2016, May 24, 2016, and June 30, 2016. The application was approved at the June 30, 2016 regular meeting and the memorializing resolution was adopted on August 9, 2016. The resolution was published in the Asbury Park Press on August 15, 2016.

Thereafter, Plaintiff Jennifer Walsh filed a Verified Complaint in Lieu of Prerogative Writ challenging the decision of the Board. The Complaint was later amended to allege a violation of the Open Public Meetings Act. At the request of the Board, the Court, by Order dated April 10, 2017 has remanded the matter to the Board to take remedial action by acting de novo to consider

the June 30, 2016 resolution. The remand hearing shall be in full compliance with the Open Public Meetings Act.

Any interested member of the public, who failed to receive notification of the initial November 12, 2015 meeting on this Application, or any special meetings and had an interest in the Application, will be afforded an opportunity to offer comment on the new hearing date. No new witnesses will be called by Plaintiff or Applicant.

Motion: _____ Second: _____

Vote:

Cashmore ___ Cunningham ___ DiGulio ___ DeSio ___

Leckstein ___ Long ___ Schwartz ___ Nott ___ Smith ___

Duffy (Alt#1) ___ McGinley (Alt#2) ___

5. ADJOURNMENT:

Motion to Adjourn: _____ Second: _____

Time: _____ P.M. _____