

MINUTES
REGULAR MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, October 23, 2018, 7:30 p.m.

ADMINISTRATIVE MATTERS

Call to Order

Chairman Cunningham called the meeting to order at 7:34 p.m. and requested those present to join in the Pledge of Allegiance.

Chairman's Opening Statement

Chairman Cunningham read the following Compliance 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.

Attendance Roll Call

Present: Cashmore, Cunningham, DeSio, Duffy, Leckstein, Smith, McGinley, Bills, Wray

Not Present: DeGiulio, Long, Nott

Also in attendance: Board Attorney Kerry E. Higgins, Esq.
Board Secretary Candace B. Mitchell

Approval of 9/25/18 Minutes

Vice Chairman DeSio offered a motion to approve the minutes, seconded by Boardmember Duffy, and approved on the following roll call vote:

Aye: Cunningham, DeSio, Duffy, Leckstein, Smith, Bills, Wray

Nay: none

Board Secretary Welcome

Councilman Leckstein asked Chairman Cunningham if he might offer a point of personal privilege to welcome Ms. Candace Mitchell as the new Board Secretary. The Board welcomed the new Secretary.

ITEMS OF BUSINESS

PBZB Application No. 2014- 002

Request for One-Year Extension of Amended Site Plan and Variance Approval

Victor Scudieri

150 Ocean Avenue

Block 34 Lots 4 & 4.01

Resolution, memorialized 6/23/15, granted a two-year amended site plan and variance approval

Resolution No. PBZB-2017-016, memorialized 5/23/17, granted a one-year extension of site plan and variance approval

Attorney Higgins entered the following item into evidence:

Exhibit A-1 Letter addressed to Board Secretary from Attorney Thomas J. Hirsch, dated 10/19/18, requesting an additional one-year extension of original site plan and variance approval that was granted 6/23/15

Board Attorney Higgins offered a review of the approvals on this application and an overview of Sea Bright's Land Use Ordinance regarding approval of a site plan without and with variances. The initial approval of this site plan with variances, granted 6/23/15, included a time limit of two years. A one-year extension was memorialized on 5/23/17.

Attorney Thomas J. Hirsch, Esq. was present to represent the applicant. He described the history of the permissions for the project. Mr. Hirsch pointed out the necessity and urgency for granting a second one-year extension of the original approval and disclosed the reasons why the project has not proceeded within the granted time frame and why extensions of approval have been necessary, including a law suit and issues with CAFRA. He explained that granting a second extension is necessary for obtaining the required building permits and is a matter of some urgency because the site work is about to begin. He pointed out that the CAFRA Permit remains valid.

Ms. Higgins verified that the Board Engineer, Dave Hoder, had reviewed the CAFRA Permit and determined that it is in order.

Boardmember Questions and Comments

Chairman Cunningham asked whether any member of the Board had any questions or comments. None were offered.

Public Comments

Chairman Cunningham asked whether any member of the public wished to speak. There was no response from the audience.

Determination

Boardmember Smith offered a motion to grant the request for an additional one-year extension of the amended site plan and variance approval, seconded by Boardmember Duffy, and approved on the following roll call vote:

Aye: Cashmore, Cunningham, DeSio, Duffy, Smith, McGinley, Bills, Wray

Nay: none

Abstain: Leckstein

PBZB Application No. 2018-020

Request for Amended Site Plan and Bulk Variance Approval

Maurice Lefkort

460 Ocean Avenue

Block 30 Lot 18, R-1 Zone

Attorney Higgins verified the jurisdictional packet as correct and complete.

The following items were entered into evidence:

Exhibit A-1 Jurisdictional Packet

Exhibit A-2 Architectural Plans dated 9/4/18, prepared by Architect Anthony M. Condouris, NJ Lic # A113804

Homeowner Faith Lefkort and Architect Anthony M. Condouris were sworn in to testify. Mr. Condouris was accepted as an expert witness.

Mrs. Lefkort introduced the application, explaining the history of the project which had been approved by the Planning/Zoning Board on November 9, 2016. Building permits had been issued. Afterward, it was discovered that there would be an issue with the front door. The chosen front door, when open, would block the door to the office. Mr. and Mrs. Lefkort are requesting approval for adding an additional 28 inches to front of the home so that the front door, when open, will not block the office door.

Mr. Condouris, referring to the Architectural Plans, explained the plan had to be revised to extend the home forward by 28 inches, continuing a previously approved non-conforming setback for the front of the home. The home will not be made any wider. Nothing would be added to the side yard setbacks. On the side of the home where the elevator shaft extends for approximately 6 feet along the side yard, the revised plan moves the elevator shaft forward slightly, but it will not be extended.

Ms. Higgins summarized the side yard setbacks, and a suggestion was made by Councilman Leckstein to grant permission for an extension not to exceed 30 inches, adding flexibility to the 28 inches requested. It was noted that the front setback, even with the extension added, is more than 90 feet where 25 feet is required.

Boardmember Questions and Comments

There were no members of the Board wishing to ask questions or offer comments.

Public Comments

There were no members of the public wishing to speak.

Determination

Councilman Leckstein offered a motion to grant the request for amended site plan and bulk variance approval, seconded by Boardmember Smith, and approved on the following roll call vote:

Aye: Cashmore, Cunningham, DeSio, Duffy, Leckstein, Smith, McGinley, Bills, Wray

Nay: none

BOARD REVIEW OF COUNCIL ORDINANCE

Ordinance No. 10-2018

An Ordinance of the Borough Council in the Borough of Sea Bright, County of Monmouth, State of New Jersey, Amending Chapter 115, Flood Damage Prevention and Chapter 130, Land Use, introduced October 2, 2018

Board Comments

Councilman Leckstein explained the reasons for the new ordinance, including correcting typographical errors in the previous ordinance and making changes at the suggestion of the Community Rating System for eliminating duplication in two chapters of the Borough Code. Making these changes will result in a more preferable CSR rating and reduce insurance rates for property owners.

A suggestion was offered by Board Attorney Higgins. The following typographical correction should be made. In SECTION THREE, line 2, the word "equaling" would be preferable to the current word "equally."

Councilman Leckstein offered a motion to authorize the Board Secretary to draft a letter to the Mayor and Council suggesting changing the word, "equally," to "equaling," in Ordinance No. 10-2018, introduced October 2, 2018. The motion was seconded by Chairman Cunningham, and approved upon the following roll call vote:

Aye: Cashmore, Cunningham, DeSio, Duffy, Leckstein, Smith, McGinley, Bills, Wray

Nay: none

Public Comments

There were no members of the public wishing to speak.

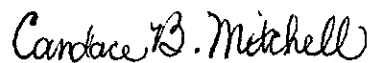
CLOSING MATTERS**Meeting Announcement**

There being no other business before the Board, the Secretary made an announcement of the next meeting date, which is November 13, 2018.

Adjournment

The meeting was adjourned at 8:00 p.m. on a motion offered by Boardmember Duffy, seconded by Councilman Leckstein, and approved upon a unanimous consent of the Board.

Respectfully submitted,



Candace B. Mitchell
Board Secretary