

**APPROVED MINUTES
VIRTUAL MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, AUGUST 25, 2020**

ADMINISTRATIVE MATTERS

Call to Order

Chairman Cunningham called the meeting to order at 7:30 p.m. and requested those present join him in the Pledge of Allegiance.

Chairman's Opening Statements

Chairman Cunningham read the following Compliance Statements:

This meeting will be conducted by electronic means in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020, which explicitly permits a public body to conduct a meeting electronically during a state of emergency. Governor Murphy issued Executive Orders 103 and 107 declaring a "Public Health Emergency and State of Emergency" and directing residents to quarantine and practice social distancing.

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 notice with the Borough Clerk, and posted notice on the Borough website and in the Borough Office.

2020 Oath Appointments

Attorney Higgins administered the following Oath Appointments:

Unexpired 4 Year Term Class IV

Peggy Bills - through December 31, 2022

Unexpired 2 Year Term Class IV - Alternate #2

Heather Gorman - through December 31, 2021

Unexpired 2 Year Term Class IV - Alternate #3

Jefferey Booker - through December 31, 2021

Attendance Roll Call

Present: Bills, Cashmore, Cunningham, DeGiulio, DeSio, Kelly, Leckstein, Smith (technical difficulties/arrived at 7:55 p.m.,) Gorman, Booker

Not Present: Wray

Also in attendance: Board Attorney Kerry E. Higgins, Esq., Board Engineer David J. Hoder, and Board Secretary Candace B. Mitchell

Approval of 7/28/20 Minutes

Vice Chairman DeSio offered a motion to approve the minutes, with a second offered by Boardmember DeGiulio, and adoption upon the following roll call vote of eligible members:

Ayes: Bills, Cashmore, Cunningham, DeGiulio, DeSio, Leckstein

Nays: none

Abstain: Kelly, Nott, Gorman

Absent: Smith, Wray

ITEMS OF BUSINESS

Memorialization of Resolution

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD
ACCEPTING THE SEA BRIGHT RIVER PROPERTIES REDEVELOPMENT PLAN
AS CONSISTENT WITH THE SEA BRIGHT MASTER PLAN**

WHEREAS, the subject area known as the River Properties redevelopment Area, Block 13, Lots 13, 14, 15, 18, 20, 21 and 22 and Block 14, Lots 12 and 14 and Block 15, Lots 5, 8, 10, 11 and 12 on the Sea Bright Tax Map was deemed to be an area in need of redevelopment by the Borough Council in Resolution 102-2019, adopted on May 21, 2014, pursuant to a report prepared by Cofone Consulting Group, LLC, entitled "Condemnation Redevelopment Investigation for Shrewsbury River Properties"; and

WHEREAS, the "Sea Bright River Properties Redevelopment Plan" was prepared by Cofone Consulting Group, LLC, dated April 2020; and

WHEREAS, the proposed Redevelopment Plan proposes new planning goals and zoning standards for the future development of the Area; and

WHEREAS, on Tuesday, July 28, 2020, the Planning Board of the Borough of Sea Bright, Monmouth County, New Jersey held a virtual public hearing at 7:30 p.m. to obtain comments on the Sea Bright River Properties Redevelopment Plan, at which time testimony was taken from Christine Cofone, Professional Planner and comments were received from the public; and

WHEREAS, the Board reviewed the Plan, considered the testimony and the comments from the public and determined that the "Sea Bright River Properties Redevelopment Plan" is consistent with the Sea Bright Master Plan.

NOW, THEREFORE. BE IT RESOLVED by the Sea Bright Unified Planning Board that it has determined that the "Sea Bright River Properties Redevelopment Plan" prepared by Cofone Consulting Group, LLC, dated April 2020 is deemed to be consistent with the Sea Bright Master Plan.

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 Borough Clerk and to make same available to all other interested parties.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on August 25, 2020.

Candace B. Mitchell
Candace Mitchell, Secretary
Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by Boardmember Bills
and Seconded by Boardmember DeSio
Roll call vote:

Bills – Aye Cashmore – Aye Cunningham - Aye DeGiulio - Aye

DeSio – Aye Kelly - Abstain Leckstein – Aye Nott – Absent

Smith – Absent Wray - Absent Gorman - Abstain

C. Lance Cunningham
C. Lance Cunningham, Chairman
Sea Bright Planning/Zoning Board

Memorialization of Resolution

**RESOLUTION OF THE SEA BRIGHT PLANNING/ZONING BOARD
ACCEPTING THE DOWNTOWN PROPERTIES REDEVELOPMENT PLAN
AS CONSISTENT WITH THE SEA BRIGHT MASTER PLAN**

WHEREAS, the subject area known as the Downtown Properties Redevelopment Area, Block 15, Lots 2,3 and 4 on the Sea Bright Tax Map was deemed to be an area in need of redevelopment by the Borough Council in Resolution 135-2016, adopted on November 14, 2016, pursuant to a report prepared by Cofone Consulting Group, LLC, entitled "Condemnation Redevelopment Investigation - Downtown Properties"; and

WHEREAS, the "Sea Bright Downtown Properties Redevelopment Plan" prepared was prepared by Cofone Consulting Group, LLC. dated April 2020; and

WHEREAS, the proposed Redevelopment Plan proposes new planning goals and zoning standards for the future development of the Area; and

WHEREAS, on Tuesday, July 28, 2020, the Planning Board of the Borough of Sea Bright, Monmouth County, New Jersey held a virtual public hearing at 7:30 p.m. to obtain comments on the Downtown Properties Redevelopment Plan, at which time testimony was taken from Christine Cofone, Professional Planner and comments were received from the public; and

WHEREAS, the Board reviewed the Plan, considered the testimony and the comments from the public and determined that the "Sea Bright Downtown Properties Redevelopment Plan" is consistent with the Sea Bright Master Plan.

NOW, THEREFORE. BE IT RESOLVED by the Sea Bright Unified Planning Board that it has determined that the "Sea Bright Downtown Properties Redevelopment Plan" prepared by Cofone Consulting Group, LLC, dated April 2020 is deemed to be consistent with the Sea Bright Master Plan.

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 Borough Clerk and to make same available to all other interested parties.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on August 25, 2020.

Candace B. Mitchell
Candace Mitchell, Secretary
Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by Councilman Leckstein and Seconded by Boardmember Bills

Roll call vote:

Bills – Aye Cashmore – Abstain Cunningham - Aye DeGiulio - Abstain

DeSio – Aye Kelly - Aye Leckstein – Aye Nott - Absent Smith - Absent

Wray - Absent Gorman - Aye

C. Lance Cunningham
C. Lance Cunningham, Chairman
Sea Bright Planning/Zoning Board

Request for Extension of Approvals

PBZB 2017-13

Cole Sea Bright, LLC

26 New Street, Bl. 12, Lot 13

Site Plan and Bulk Variance Approval

Attorney Rick Brodsky was in attendance for the applicant.

Councilman Leckstein suggested this request be carried to the next meeting, 9/8/20, so that the Board, before making a decision, can be informed of steps that have been taken to clean up this property. The Board memorialized the original Resolution of Approval 5/9/17.

Councilman Leckstein offered a motion to carry this matter to the meeting of September 8, 2020, with a second offered by Chairman Cunningham, and adoption upon the following roll call vote:

Ayes: Bills, Cashmore, Cunningham, DeGiulio, DeSio, Leckstein, Gorman, Booker

Nayes: none

Abstain: Kelly

Absent: Smith, Wray

New Application

PBZB 2020-10

Mountain View Villas at Sea Bright, LLC

Mountain View Way

Bl. 33, Lot 20.02; Block 34, Lot 3.03, and Block 34, Lot 3.02

Preliminary and final major subdivision approval so as to form 5 single-family building lots from 3 existing lots in the R-2 zone; subject to bulk variance approval

Attorney Robert J. McGowan, Engineer Jaclyn J. Flor, and Planner David Glynn Roberts were in attendance for the application.

Board Attorney Higgins stated that she has reviewed the jurisdictional packet and found it to be in good order. The Board accepted jurisdiction over the application, and the following exhibits were entered into evidence:

A-1 Jurisdictional Packet, received 8/19/20

A-2 Preliminary & Final Major Site Plan & Subdivision Plans for Mountain View Villas at Sea Bright, LLC, prepared by Jaclyn J. Flor, dated June 12, 2020, consisting of 11 (eleven) sheets

A-3 Architectural Drawings, prepared by Anthony M. Condouris, NJ STATE LIC # AI13804, dated 7/29/20, consisting of 6 (six) sheets

A-4 Boundary and Topography Survey, prepared by James J. Heiser, P.L.S., N.J. Lic.: 24GS04331100, DPK Consulting, LLC, dated 4/27/2020, consisting of 1 (one) sheet

A-5 Existing Conditions with Aerial (pdf) dated 8/20/20

A-6 Proposed Conditions with Aerial (pdf) dated 8/20/20

A-7 Birds Eye View (pdf) dated 8/20/20

A-8 Turning Template (pdf) dated 8/20/20

A-9 Landscape Plans from plan set (pdf) dated 8/20/20

A-10 Density Comparison (pdf) dated 8/20/20

A-11 Planning Testimony in Support of c(1) & c(2) Bulk Variances (Lot Size & Depth, Setbacks) R-2 Zone, prepared by David Glynn Roberts, PP, AICP, LLA, undated, consisting of 17 (seventeen) pages

B-1 Technical Review, prepared by David J. Hoder, P.E., P.P., C.M.E, Unified Planning Board Engineer, dated August 20, 2020, consisting of 6 (six) pages

A-12 Mountain View Villas at Sea Bright – First Technical Review Response Letter, prepared by Jaclyn J. Flor, dated 8/25/20, consisting of 8 (eight) pages

Mr. McGowan, Attorney for the applicant, introduced the application. He stated that the applicant is asking for preliminary and final major subdivision approval in order to form 5 single-family building lots from 3 existing lots in the R-2 zone, creating a 7-lot enclave on Mountain View Way. The property is located between the Land's End Condominium development and the former Gaiters Site.

Engineer Jaclyn Flor was sworn in to testify. Ms. Flor stated she is a Licensed Planner and Engineer, and Chairman Cunningham stated that the Board accepts her credentials as an expert witness.

Boardmember Stephen Smith arrived for the meeting after having technical trouble connecting to the meeting remotely.

An public comment was offered by Theresa Phan, 164 Ocean Avenue. Ms. Phan stated that the noticing for the hearing was very late. Ms. Phan was asked by Chairman Cunningham to hold comments and questions until announcement of the public portion of the hearing.

Ms. Flor explained that she would explain the existing conditions of the property and go on to respond to the Board Engineer's Technical Review of the proposed project.

Ms. Flor, utilizing Exhibit A-5, explained that the existing area currently has no public access to the river. Utilizing Exhibit A-6, Ms. Flor explained the proposed public access to the ocean, using the existing crosswalk across Ocean Avenue and adding a stairway over the seawall. She described the hammerhead turn-around design at the end of Mountain View Way, proposing access to the river, adding a sidewalk, two benches, and replacement of the bulkhead, increasing the height to nine feet.

Five new lots are proposed. Lot 3.04 was conforming but needs a lot area variance due to the hammerhead design of the turn-around. The lot becomes a corner lot with two front yards. Lots 20.04 and 3.03, 20.03, and 20.02 will require lot area variances for front yard setbacks. The plan could include a sidewalk if the Board would like. An easement would be needed to accommodate the sidewalk. Vice Chairman DeSio stated that the setbacks would be affected, and that should really be looked in to.

Ms. Flor shared Exhibit A-7, a bird's eye view, and stated that what they're proposing is not out of character with other neighborhoods in the R-2 zone. There is a higher density at the neighboring development, Land's End.

Exhibit A-8 is the Turning Template Exhibit, the area for a firetruck to turn around. Ms. Flor explained she had reviewed the template with the Sea Bright Fire Marshal, who consulted on the design.

Exhibit A-9, the Landscape Plans, were shared, along with A-12, which is a point-by-point response to the Board Engineer's 8/20/20 letter and Ms. Flor's responses, dated 8/25/20. The Engineer's letter (technical review) and Jaclyn Flor's response letter, as well as all hearing exhibits have been posted on the Sea Bright Municipal website.

There was a discussion of Comment No. 1, regarding sidewalks, with Ms. Flor wanting to know what the Board would like. Councilman Leckstein stated that Mountain View Way is a very small street, and it is going to need sidewalks. Mr. DeSio said that the only issue is that there's no place to park. Councilman Leckstein said that people will walk down from the lot, and there should be some way

for them to get there. Mr. DeSio said that the setbacks will be impacted, making the lots even skinnier. Ms. Flor said that the sidewalks would be on the north side. Ms. Bills asked if the sidewalk would connect with Ocean Avenue, Ms. Flor said that it would not, and Councilman Leckstein said that the idea is that, in the future, the sidewalks will match up. Ms. Bills agreed, and Chairman Cunningham agreed with having sidewalks on the north side. Councilman Leckstein said that it doesn't make sense to do both sides. Mr. Cashmore asked Ms. Flor to define the easement. Ms. Flor answered that it could be five feet wide, or even four feet wide, and the sidewalk would sit within that easement. Mr. Cashmore asked how wide the sidewalk would be. Ms. Flor said that it would be no narrower than four feet wide, and that is considered sufficient. Mr. Cashmore mentioned an easement for utilities, and Ms. Flor said that the same easement could be used.

Ms. Flor briefly discussed Comment No. 2, and stated that the exact locations of trees will be shown on future plans. No. 3, the grading plan will comply with the Engineer's remarks; No. 4 will comply with eighteen feet; Ms. Flor said that she will provide an exhibit to show why, regarding Comment No. 6, that twenty feet, existing, is not out of character and is sufficient. Comment No. 5, regarding parking, will be discussed by the Architect when he testifies. No. 7 concerns the lighting plans. No. 8 discusses the services, which will be underground. The applicant is asking for a waiver. The overhead wires have to be left for the main service, which goes to Land's End. Comments No. 9 through 15 were mentioned and discussed only briefly.

There were no questions from the Board, and Chairman Cunningham opened the meeting to questions from the public.

Peter Phan, 164 Ocean Avenue, was sworn in to make a statement. He asked about front, side, and rear yard setbacks on lot 2.02, and whether the street will continue to the river, and whether the planned development will consist of townhouses. Ms. Flor brought up the landscape plan to show the sidewalk plan, and she let Mr. Phan know that there would be five single-family homes and no townhouses. There are two other single-family homes, and they are not part of this development. Mr. Phan made a statement. He told the Board that he has been in Sea Bright for twenty years. This area is one of the last retreats that has wildlife and trees. This is the first road coming off of the bridge. Adding seven units will take away from the wildlife. It is good that you are building there, but you are adding congestion. It is one of the last streets that is green.

Theresa Phan, 164 Ocean Avenue, was sworn in. She stated that she has lived in Sea Bright for twenty years. She asked the Board to keep the street going straight down. Ms. Flor offered that there would be two benches, a nice sidewalk with an ADA ramp, and landscaping. Councilman Leckstein asked whether there would be a homeowner's association, and Ms. Flor answered there would be. Ms. Phan stated that with three houses plus four houses on a small street, the houses should be smaller. She also prefers the cul-de-sac turnaround design. Ms. Phan said that she would prefer that the street be kept the way it is to keep consistency with Sea Bright.

Another resident, possibly William Collucci, 47 Waterview Way, (poor audio,) was sworn in to testify. He stated that this is the first he is hearing about sidewalks. Ms. Higgins stated that the sidewalks will not be on his property. The resident asked about the underground electric service since he already has underground electric service. He also stated that this is a small street, and that the Board should consider the impact on traffic and parking.

Councilman Leckstein asked about the preference for the "T" turnaround design. Ms. Flor answered that the cul-de-sac design is not preferable. The "T" allows for better line-up. Boardmember Gorman stated that she prefers the cul-de-sac design, which was discussed at the February 25th meeting. Ms. Flor pointed out that the Fire Marshal is okay with the "T" design. Councilman Leckstein suggested talking to (Fire Marshall) Tom Haege. Ms Higgins stated that the project would

require more variances with the cul-de-sac design. Mr. DeSio asked, what if you did the cul-de-sac and got rid of the two lots on the south end of the street? Chairman Cunningham asked whether the Borough owns the street to the bulkhead and was answered affirmatively.

Ron Bevin, 630 Ocean Avenue, was sworn in to make a comment. Mr. Bevin stated that he is in favor of the application. He moved in about a year ago and thinks that, currently, there seems to be a waste of space. He thinks that seven houses on the small street is too dense, and went on to say that this looks like a very nice subdivision. It doesn't seem any more dense than other parts of the neighborhood. He said that the property isn't being used for anything, and it is a terrific piece of land, a gem.

Theresa Phan again commented. She prefers the cul-de-sac design over the "T" turnaround design.

Corey Klein, an attorney speaking on behalf of the Land's End Condominium Association, stated that he just got to review the plans today. He stated that he wants a copy of the meeting recording and of Mr. Hoder's report. Regarding Exhibit A-6, he asked Ms. Flor to walk him through the "T" turnaround design. Is the turnaround for a firetruck? Ms. Flor answered, yes. Mr. Klein asked whether that is standard in residential designs. Ms. Flor answered, yes. She explained that the cul-de-sac design pushes most of the properties farther back, and most lots would need a variance. Mr. Klein asked Ms. Flor to bring the drawing with the cul-de-sac design to the next meeting.

He asked a question about the seawall and building a staircase over the seawall. Councilman Leckstein stated that a resident can build access stairs over the sea wall, and Chairman Cunningham added that he believes there is a specific design that the Borough came up with.

Ms. Flor showed Exhibit A-8. She noted that she had looked at the density in all neighboring developments, and that Dave Roberts, the planner who has prepared testimony which will be heard at the next meeting, will better serve with answers. Mr. Klein proposed landscaping or buffering on the boundary with Land's End. Ms. Flor said that they can certainly discuss landscaping. Councilman Leckstein suggested getting together to work some of these things out and come back to the next meeting.

Mr. DeSio commented that the plan for all the density in that area was to be changed to less density.

Councilman Leckstein offered a motion to carry the matter to matter to the meeting of October 13, 2020, with no need for further notice, and with Mr. McGowan agreeing to an extension of the time limits. Boardmember DeGiulio offered a second to the motion, and the motion was carried upon the following roll call vote:

Ayes: Bills, Cashmore, Cunningham, DeGiulio, DeSio, Leckstein, Kelly, Nott, Smith, Gorman, Booker

Nayes: none

Absent: Wray

CLOSING MATTERS

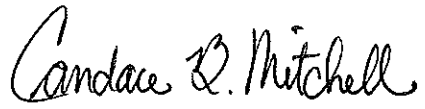
Meeting Announcement

There being no other business before the Board and no general public comments, the Chairman announced the next regular Meeting of the Planning Board is scheduled for September 8, 2020 at 7:30 p.m.

Adjournment

The meeting was adjourned at 10:13 p.m. on a motion offered by Vice Chairman DeSio, seconded by Boardmember DeGiulio, and approved upon a unanimous voice vote by the Board members.

Respectfully submitted,

A handwritten signature in cursive script that reads "Candace B. Mitchell". The signature is written in black ink and is positioned above the printed name and title.

Candace B. Mitchell
Board Secretary