

**APPROVED MINUTES
REGULAR MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, February 14, 2023**

Call to Order and Flag Salute

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

Open Public Meetings Statement

Good evening, Ladies and Gentlemen,

This Meeting Is Now Called to Order. The Borough of Sea Bright, in compliance with the Open Public Meetings Act, has provided adequate notice of the time, date, and location of this meeting to the Asbury Park Press on January 26, 2023, filed notice with the Borough Clerk, and posted notice in the Borough Office and on the Borough website. This Meeting Is Open to The Public.

ADMINISTRATIVE MATTERS

Attendance Roll Call

Present: Bieber, Bills, DeGiulio, DeSio, Lawrence, Zelina

Absent: Cashmore, Cunningham, Kelly, Leckstein, Schwartz

Also in attendance: Interim Board Attorney, Kevin I. Asadi, Board Engineer David J. Hoder, Board Planner Jennifer C. Beahm, and Board Secretary Candace B. Mitchell

Approval of 1/24/22 Regular Meeting Minutes

Councilman Bieber offered a motion to approve the minutes. Second was offered by Mr. Lawrence, and the motion was adopted on the following roll call vote of eligible members:

Ayes: Bieber, Bills, DeGiulio, DeSio, Lawrence, Zelina

Nays: none

Approval of 1/24/22 Closed Session Meeting Minutes

Ms. Bills offered a motion to approve the closed session minutes. Second was offered by Councilman Bieber, and the motion was adopted on the following roll call vote of eligible members:

Ayes: Bieber, Bills, DeGiulio, DeSio, Lawrence, Zelina

Nays: none

ITEMS OF BUSINESS

Memorialization of Resolution

Application No. 2022-15

William A.G. Inc.

1106 Ocean Avenue, Bl. 13, L. 37

Memorialization of this resolution was carried to the 2/28/23 meeting.

Redevelopment Application No. 2022-08

Preliminary Subdivision and Preliminary and Final Site Plan Approval

The Haven at Sea Bright, Denholtz Acquisitions

Bl. 13, Lots 13 – 18, 20 - 22; Bl. 14, Lots 12 & 14; Bl. 15, Lots 5 and 8 – 12

Present for the application were: Attorney John A. Giunco, Architect Daniel A. Condatore, Engineer Walter J. Hopkin, Traffic Engineer John Rae, and Applicant Representative Steven Lidster.

Application Submissions:

- PB -1 Cover letter and application package from John A. Guinco, Esq, Dated September 9, 2022;
- PB -2 Plans entitled "Preliminary Major Subdivision & Site Plan, Haven at Sea Bright" prepared by Walter Joseph Hopkin, P.E. of WJH Engineering, dated January 17, 2022, revised July 22, 2022, consisting of fifteen sheets;
- PB -3 Architectural plans entitled "Denholtz Properties "New Townhome Development- Condominiums" prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 9 sheets;
- PB -4 Architectural plans entitled "Denholtz Properties, New Townhome Development, Model A" prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 6 sheets;
- PB -5 Architectural plans entitled "Denholtz Properties, New Townhome Development, Model B" prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 11 sheets;
- PB -6 Architectural plans entitled "Denholtz Properties, New Townhome Development, Model C" Group 1 prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 8 sheets;
- PB -7 Architectural plans entitled "Denholtz Properties, New Townhome Development, Model C" Group 2 prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 10 sheets;
- PB -8 Photographs of the site;
- PB -9 Narrative of offsite improvements;
- PB -10 List of temporary submission waivers;
- PB -11 List of outside agency approvals required;
- PB -12 Stormwater Management Narrative;
- PB -13 Completeness Review Memo #01 by Hoder Associates Dated February 22, 2022;
- PB -14 Response letter from Walter Joseph Hopkin, P.E. of WJH Engineering, dated July 28, 2022;
- PB -15 Owner's affidavits of Authorization and consent;
- PB -16 Tax collector certifications dated 9/9/22 and 2/14/23;
- PB -17 Copy of CAFRA application;
- PB -18 Schedule A of title commitment;
- PB -19 Title 39 letter;

- PB -20 Cover letter and application package from John A. Guinco, Esq, Dated February 7, 2022;
- PB -21 Zoning Permit application submitted Jan 27, 2022;
- PB -22 Borough of Sea Bright Planning/Zoning Board Application;
- PB -23 Stormwater Management Narrative including the Drainage Inlet Map;
- PB -24 Original W-9;
- PB -25 Ownership disclosure statement; (not included);
- PB -26 Signed Owner Consents; (not included);
- PB -27 Signed Certificate of Title; (not include);
- PB -28 Affidavit of Service;
- PB -29 Affidavit of Publication;
- PB -30 Completeness Review Memo #02 by Hoder Associates Dated September 12, 2022;
- PB -31 Technical Review Memo #01 by Hoder Associates Dated September 21, 2022;
- PB -32 Planning Review Letter by Leon S. Avakian, Inc. Dated September 22, 2022;
- PB -33 Second Planning Review Letter by Leon S. Avakian, Inc. Dated January 20, 2023;
- PB-34 Technical Review Memo #2 by Hoder Associates Dated 9/2/22;

Hearing Exhibits:

- A -1 3d Rendering of the Condominium Building;
- A -2 3d Rendering of the Townhome Building;
- A -3 Arial map of the Subject Tract with Superimposition of Overall Proposed Development;
- A -4 Architectural plans entitled "Denholtz Properties "New Townhome Development- Condominiums" prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 9 sheets;
- A -5 Architectural plans entitled "Denholtz Properties, New Townhome Development, Model A" prepared by Daniel Condatore, RA, dated September 9, 2022 consisting of 6 sheets;
- A -6 Easterly Elevation of Proposed Single Family Home;
- A -7 Plans entitled "Preliminary Major Subdivision & Site Plan, Haven at Sea Bright" prepared by Walter Joseph Hopkin, P.E. of WJH Engineering, dated January 17, 2022, last revised January 31, 2023.

Board Attorney Kevin I. Asadi stated that the noticing by the applicant was deemed proper, and the Board accepted jurisdiction.

Mr. Giunco introduced the application and called Architect Daniel Condatore to testify. Mr. Condatore was sworn in, and his credentials were accepted by the Board.

Mr. Condatore stated that the primary architectural goal is to create harmony with the downtown and the local community. He wanted the design to blend in.

The buildings' footprints were adjusted so that no setback variances would be triggered. The architectural style is moving away from Victorian designs. This design is a hybrid of styles that are in harmony with the area. There is a light and open feeling about the site which takes advantage of the river views with roof decks and arrangements of windows and doors.

There are three types of units:

The single-family residential unit consists of four stories with a roof deck. The ground floor is for storage and parking, the second floor living space has a kitchen, dining space, and a half bathroom. The third floor has two bedrooms and a laundry room. The fourth floor has the master bedroom. Each unit will have an elevator. There will be rooftop access by a staircase and elevator. The rooftop will have a small outdoor area. The building heights are 41.6'.

The townhouses, type B and C, are configured similarly to the single-family homes, with an area of approximately 2,000 square feet. The townhouses will be placed in a staggered design.

Board Planner, Jennifer Beahm, was concerned that the staggering of the units as shown in exhibit A-2 is atypical of townhouse architecture that would make it clear which unit is which. She said they look straight, not staggered, and it is deceptive when looking at the plans. These townhouses look more like a multi-family home. She asked for reconciliation between the rendering and the architectural plans.

Mr. Condatore continued with the condominium building. There will be four 2-bedroom units on each level and some flexible space which can be used for parties, a business center, or another use. Each unit will have a balcony to take advantage of the view. There will also be a gym. The corner units will have 3 bedrooms. Fourth level units will have stairs to a private roof deck. The condominium units will have a trash chute from each floor. Trash removal will be done by the town. There will be staff to put the trash to the curb for pick-up.

Board Engineer Dave Hoder asked for an explanation of the height of the buildings. The main roof line is 41.6'. The top of the trellis, elevator, and stairs add 10'. Ms. Beahm stated that needs to be reconciled. It doesn't comply with the height requirement. Attorney John Giunco answered that the trellis system will be removed if it doesn't comply.

Mr. Condatore continued on to describe the exterior with a cedar shake look that is made of a prefinished durable product that will hold up to this kind of environment. Shades of gray and white will be used. Railings will be light and transparent. He also mentioned the area above the elevator shaft has no access at all. There will be a total of 15 condominium units.

Public Questions:

Christopher Jerry, 15 Church Street, questioned the garbage area venting. Mr. Condatore answered that the area can be vented away from members of the public. There will be a loading dock area for a truck to back into. Mr. Jerry also has concerns about noise since the flex space balconies are near his yard.

Rob Long, 20 New Street, asked about the elevations of the single family houses. Mr. Condatore discussed the design of those units. The trellises will be removed from the plans due to height requirements.

Gareth Middleton, 22 Surf Street, asked questions about the drainage plan and whether any underground facility was considered. He questioned the phasing plan and the meaning of that. He questioned the Front Street extension and thought it would be better to make it a one-way street to discourage additional traffic.

Drew Miller, 16 Church Street, had questions about the landscaping and was told the engineer will be answering those questions. Mr. Miller questioned why there was not a rendering of the 9' bulkhead so that it could be visualized. It was explained that this is a landscaping question, and the engineer will go over his concerns.

Cathy Weikert, 23 Beach Street, inquired about the building colors.

Patrick Bogues, 26 Beach Street, asked about height, saying that he saw 53' heights planned.

Mark Teichman, 20 Surf Street, said that the plans contain an error. The height is only 41.6'. He asked about tree removal. His question can be answered when the landscape plan is presented.

Chris Doxey, 9 Church Street, questioned the bulkhead installation process. She is concerned for the risk to older buildings in the neighborhood and who would be responsible for any damage caused by the seismic activity. She was informed that the applicant is required to arrange for seismic monitoring of the installation of the bulkhead to ensure there is as low a risk as possible to the surrounding area.

The public portion was closed, and the next expert witness was sworn in. Engineer Walter J. Hopkin was sworn in and accepted by the Board.

Mr. Hopkin designed the subdivision and site plan. He offered the following introduction. The site is a 2.66 acre site, west of Ocean Avenue, generally located along the river from Beach Street to River Street. Existing conditions contain a variety of commercial and residential uses. The plan will comply fully with the redevelopment plan. It will include a boat ramp of approximately 35', new bulkhead along the entire frontage, a walkway along the bulkhead, off-street parking and on-street parking, a dog park, grass, landscaping, benches, bike racks, and a fish-cleaning station, all of which will be open to the public to use.

The elevation of the bulkhead and walkway will be 9'. The boat ramp, or kayak ramp, provides 2 parking spaces. The height of the bulkhead provides increased flood protection. The developer will be entering into a Developer Agreement to help develop a new pumping station for improved stormwater management. The plan also significantly reduces impervious surface area in comparison to what exists currently.

Councilman Bieber stated there will be a significant improvement to flooding. He said that with the new bridge going in, they will need to figure out how to connect and improve pumping. Mr. Hopkin agreed and said they are anticipating this improvement.

As for parking, the redevelopment plan requires 2 spaces per unit of each kind. There are 44 units and, therefore, 88 spaces required. The 25 townhouses require 50 spaces. Each unit contains either a carport and a 1-car garage, or a 2-car garage. Single family homes provide 2 spaces in the garage and 2 spaces in the driveway.

Jennifer Beahm asked the applicant to stipulate that the Homeowner Association Master Deed will include a requirement that garages must be used for parking vehicles, and for nothing else, for example, for storage. This requirement was agreed to by Attorney John Giunco, who said this would be an easy stipulation.

For the 15 condominiums planned, 30 spaces are required. 39 have been provided off-street. 6 additional spaces have been provided on New Street. Between 8 and 15 parking spaces are going to be created on the public right-of-way. These spaces did not exist before. The Board will grant a waiver from the requirement for bike racks and benches to be located outside of the public right-of-way.

The park will be fenced in as will be the dog area. Jennifer Beahm and Dave Hoder were pleased with the plan for the placement of the benches.

Steven Lidster, general manager of the project, was next sworn in to testify. He explained that the Homeowner Association is responsible for the dog park, bulkhead, and walkway, and the balance of the public park is dedicated to the Borough. The applicant will provide decorative fencing along the bulkhead walkway.

Mr. Lidster let the Board know that lighting hasn't been selected yet but will add a compliant lighting plan as a stipulation of approval as per the redevelopment plan.

Mr. Lidster described circulation in the area as truncated currently. He spoke of greatly improving circulation with Front Street along Surf Street and New Street, extending along New Street and bumping that closing to the river, providing better circulation throughout that area and also providing circulation within the development itself, providing access to the townhouses. The applicant can widen Front Street from 18' to 21'. Also, 2 spaces will be designated as rideshare pickup spaces.

Mr. Lidster also stated the applicant will comply with all requirements in Board Engineer Hoder's technical letter, dated 9/21/22.

Board Planner Jennifer Beahm referred to her planning review pg. 6, no. 10 e., in which she discusses a discrepancy that needs to be reconciled. The condominium building has been shifted 15' to the east, and it will be imposing on a residential home. This discrepancy has to be reconciled with what was approved by Council, or the applicant should go back to the governing body to approve having the building sitting on the property line. The homeowner is questioning it. Mr. Asadi agreed that the applicant must make an improvement to the discrepancy.

Landscaping was spoken about very generally. The applicant will comply with the redevelopment plan subject to Borough professionals' review. Board member Frank Lawrence suggested referring to the landscape plan for the Sea Bright-Rumson Bridge Park. In the landscape plan they will find what works and doesn't work in this area.

Councilman Bieber asked whether there are other major changes to be made other than tweaking, in answer to the Board Planner's and Engineer's review. He was answered that there are no other major changes to be made.

Public Questions and Comments:

Rob Long said he appreciates the higher bulkhead and other public amenities.

A resident on Beach Street asked about wide enough access for his kayak. Mr. Hopkin said the plans can be modified to allow a 7' walk next to the 2 spaces provided for the boat ramp.

Mark Teichman said he would like to see what the higher bulkhead will look like with grading. Jennifer Beahm explained that you're not going to see the bulkhead because the property will be graded up to the elevation.

Christopher Jerry expressed concern with the view. Jennifer Beahm explained there will not be an impediment created when looking towards the river down the street. Dave DeSio added that the streets line up with the openings between the buildings.

Gareth Middleton asked whether the CAFRA permit is in, expressing concern about the drain system with Surf Street capacity in the existing storm system. The impervious surface will be increased. He also suggested making Church Street and New Street one-way streets.

Mark Teichman asked about landscaping and whether whatever is removed will be replaced. He stated that the railing on the bulkhead will have a huge impact on the view. Dave DeSio answered it will just be a pipe railing. The landscape plan is forthcoming.

Chris Doxey asked a question about building the bulkhead. She explained that she lives in an old home and is questioning the stress damage from putting in the bulkhead. Dave Hoder answered that the resolution has to address any seismic problem.

Christopher Jerry asked a question about parking permits.

The public portion was closed and John Rea, the Traffic Engineer, was sworn in and his credentials were accepted by the Board. Mr. Rea reviewed traffic conditions in the area and stated the plan will provide for safe and efficient circulation for residents of this project and for members of the public at large. He agreed with a member of the public that the section of Front Street between New Street and Church Street might be converted to one-way in a northerly direction and provide additional public parking spaces. He will investigate the possibility and will consult with the Borough Engineer during compliance.

Board member Mark Zelina asked about construction traffic and damage to the streets. Applicant Attorney John Giunco stated that would be covered in the Developer Agreement.

Mr. Rea stated that he did not evaluate the circulation of construction traffic but would work it out with the Borough as to time and access. Dave Hoder suggested the materials for the bulkhead be brought in from the river instead of the street. It was agreed that could be done.

A member of the public wished to speak. Chris Doxey stated that the sewer system is old and fragile. She would like to see big items brought in by boat instead of down the old streets. Mr. Guinco answered that the Borough can decide which streets to use for heavy equipment.

John Giunco gave a closing argument for the application. The client agrees with modifications asked for, there are no variances proposed, and the plans are substantially complete.

Board Attorney Kevin Asadi listed several conditions of approval:

Trellises will be removed from the roofs; the applicant will deodorize the ventilation system for the trash area of the condominium building and vent away from residents; the condominium building plans will be revised to substantially conform with building placement in the concept plan; seismic monitoring will be in place during bulkhead installation; the dog park, lawn area, benches, bike racks, fish cleaning area, walkway, and boat ramp will be open to the public; garages must be used for parking vehicles and not for storage; the Homeowner Association will maintain the park, dog park, walkway, and bulkhead; decorative metal fencing along the walkway will be provided; the landscape plan will be provided during compliance; there will be a change to create a 7' wide walkway alongside the parking spaces next to the boat ramp; Front Street will be widened from 18' to 21'; a waiver to the parking standard must be obtained; the traffic consultant will consult with the Borough Engineer about the possibility of one-way streets that were mentioned; 2 rideshare pickup spaces are to be specified; part of the gravel walkway up to the boat ramp will be changed to pervious pavers; a lighting plan and a signage plan will be provided and will specify whether regulatory or advisory on site.

Councilman Bieber offered a motion to approve the application with the conditions that were stated. Second was offered by Mark Zelina, and the motion was adopted on the following roll call vote of members:

Ayes: Bieber, Bills, DeGiulio, DeSio, Lawrence, Zelina

Nays: none

Public Comments

No further comments.

Adjournment

The meeting was adjourned at 10:38 p.m. on a motion offered by Ms. Bills, seconded by Councilman Bieber, and carried upon a unanimous voice vote by the Board members.

Respectfully submitted,

Candace B. Mitchell

Candace B. Mitchell, Board Secretary