BOROUGH OF SEA BRIGHT PLANNING/ZONING BOARD APPLICATION

1099 Ocean Avenue Sea Bright, New Jersey 07760 732-842-0099 ext. 123

The application with supporting documentation must be filed with the office of the Planning Board Secretary and must be delivered for review at least ten (10) days prior to the meeting at which the application is to be considered.

NOTE: All plans must be folded. Any rolled plans will not be accepted.

To be completed by N	lunicipal staff only.		
Date Filed	Applicati	ion No	_
Application Fees	Escrow	v Deposit	
Reviewed for Comple	teness	Hearing	
1. SUBJECT PRO Location: 6 Willow Way, Block 27 Dimensions: Frontage Zoning District: R-2	Sea Bright, NJ Lot Depth	7.01 Total Area	
2. APPLICANT Name: Michael and Vicki Address: 6 Willow Way, Telephone Number: 5 Applicant is a: Corpor	Sea Bright, NJ 07760	·	
addresses of all person interest in any partner 40:55D4-8.2 that disc owns more than 10% the names and addresses	ons owning 10% of the rahip, applicant must be losure requirement ap interest in the applicasses of the non-corpo	uant to J.J.S. 40:55D-48 e stock in a corporate a be disclosed. In accordate the disclosed of the chair and followed up the chair or ate stockholders and procedused. (Attach pages a	pplicant or 10% ance with N.J.S. or partnership which of ownership until partners exceeding
Owner(s). Owner's Name:Sam	e as Applicant	provide the following inf	
- Sichipure Lantingi			

5. Property Information:
Restrictions, covenants, easements, association by-laws, existing or proposed on the
property:
(Attach copies) No Proposed
Note: All deed restrictions, easements, association by-laws, existing and
proposed must be submitted for review and must be written in easily
understandable English in order to be approved.
Present the use of the premises: Single-family residential
6. Applicant's Attorney: Rick Brodsky, Esq.
Address: Ansell Grimm & Aaron, PC, 1500 Lawrence Avenue, CN 7807, Ocean, NJ 07712
Telephone Number 732-922-1000 Email: rb@ansellgrimm.com
7 Applicantle Empire and Mathematical D.E.
7. Applicant's Engineer: Mathew Wilder, P.E. Address: Morgan Engineering LLC PO Box 5232 Toms River NL08754
Address: Morgan Engineering, LLC, PO Box 5232, Toms River, NJ 08754 Telephone Number 732-270-9690 Email: mathew@morganengineeringllc.com
8. Applicant's Planning Consultant:
Address: Email:
l elephone Number Email:
9. Applicant's Traffic Engineer:
Address:
Address:Email:
10. List any other Expert(s) who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary).
Name: Anthony M. Condouris, Architect
Field of Expertise: Architecture
Address 20 Bingham Avenue, Rumson, NJ 07760
Telephone Number 732-842-3800 Email tony@amcarchitect.com
11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:
Minor Subdivision Approval
Subdivision Approval (Preliminary)
Subdivision Approval (Final)
Number of lete to be greated (including remainder let)
Number of lots to be created(including remainder lot) Number of proposed dwelling units (if Applicable)

SITE PLAI	N:
	Minor Site Plan Approval
	Preliminary Site Plan Approval
	Final Site Plan Approval
	Amendment or Revision to an Approval Site
	Plan Area to be disturbed (square feet)
	Total number of proposed dwelling units
	Request for Waiver from Site Plan Review and Approval
Х	Request for Variance Approval (AMENDED APPLICATION)
	r request; Applicant is submitting this amended application because the single-family residential er construction on the subject premises is mistakenly not in the location previously approved by Resolution
Number 2202	-01 of the Unified Planning/Zoning Board of the Borough of Sea Bright for Bulk Variance Relief
	ached). The proposed location complies with the required side yard setbacks in the R-2 Zone.
	Informal Review
	Appeal decision of an Administrative Officer
	(N.J.S.A 40:55D-70A)
	Map or Ordinance Interpretation of Special Question
	(N.J.S.A.40:55D-70b)
X	Variance Relief (hardship)
	(N.J.S. A. 40:55D-70c (1))
	Variance Relief (substantial benefit)
	(N.J.SA.40:55D-70c (2))
Philipp.	Variance Relief (use)
	(N.J.S 40:55D-70d)
	Conditional Use Approval
	(N.J.S 40:55D-67)
	Direct issuance of a permit for a structure
	in bed of a mapped street, public drainage way, or flood control
	basin. (N.J.S 40:55D-334)
-	Direct issuance of a permit for a lot lacking street frontage
	(N.J.S 40:55D-35)
12 Section	n(s) of Ordinance from which a variance is
	130-39C (see attached List of Variances)
roquesteu	100-000 (See attached List of Variances)
	rs requested of development standards and/or
submissior	n requirements:(attach additional pages as needed)

14. Attach a copy of the Notice to Appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable. See attached.

The publication and the service on the affected owners must be accomplished at least **10 days prior** to the date scheduled by the Administrative Officer for the hearing. An Affidavit of Service on all property owners and Proof of Publication must be filed before the application will be complete and the hearing can proceed.

the premises including the proposed use of the premises: (attach pages as needed) Amended application because the single-family residential dwelling under construction on the subject premises is mistakenly not in the location previously approved by Resolution Number 2202-01 of the Unified Planning/Zoning Board of the Borough of Sea Bright 16. Is a public water line available? Yes To be made at the changes to be made at the chang
17. 10 public daritary sewer available:
18. Does the application propose a well and septic system? No
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block number? N/A
20. Are any off-tract improvements required or proposed? No
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees?
23. Other approvals, which may be required, and date plans submitted:
MARK THE FOLLOWING WITH A YES OR NO AND DATES OF THE PLANS SUBMITTED
NE Regional Sewer Auth
NE Regional Sewer Auth Monmouth County Board Of Health
Monmouth County Planning Board
Freehold Soil Conservation District.
NJ DEP Sewer Extension Permit
Sanitary Sewer Connection Permit
Stream Encroachment Permit
Waterfront Development Permit Wetlands Permit
Tidal Watlanda Barmit
Potable Water Constr. Permit
NJ Department of Transportation
Public Songing Electric 9 Con
Fublic Service Electric & Gas
Public Service Electric & Gas Other

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. Requested.

25. Certification from Sewer Collector that sewer utility charges due on the subject property have been paid. Requested.

Note: It is the responsibility of the Applicant to mail or deliver copies of the Application form and all supporting documents to the Board Secretary, Borough Engineer and Board Attorney for their review at least ten (10) days prior to the meeting at which the application is to be considered, otherwise the application will be deemed incomplete. A list of those required to receive documents is attached to the application form.

26. The Applicant hereby requests that copies of the reports of the Borough Engineer and Board Attorney reviewing the application be provided to the following of the applicant's professionals.

Applicant's Professional Report Requested:

AttorneyRick Brodsky, Esq.
Address: Ansell Grimm & Aaron, PC, 1500 Lawrence Avenue,
CN 7807, Ocean, NJ 07712
Phone Number: 732-922-1000 Email: rb@ansellgrimm.com
Architect: Anthony M. Condouris, Architect
Address: 20 Bingham Avenue Rumson, NJ 07760
Phone Number: 732-922-1000 Email: rb@ansellgrimm.com
CERTIFICATION
I certify that the foregoing statements and the materials submitted are true. I further certify
that I am the individual applicant or that I am an Officer of theCorporate Application and that
I am authorized to sign. (If the applicant is a corporation, this must be signed by an
authorized corporate officer. If the applicant is apartnership, this must be signed by a
general partner).
inthe Tamanu an
Sworn to and subscribed before me this 10 day of JAWARY, 2023.
Min It Westy
A Notary Public of NJ Owner AUSON H. NEARY
My Commission Expires: NOTARY PUBLIC OF NEW JERSEY COMMISSION EXPIRES SEPT. 13, 202
I understand that the sum of \$ has been deposited in an escrow account
(Builder's Trust Account). In accordance with the Ordinances of the Borough of SeaBright, I
further understand that the escrow account is established to cover the cost of professional
services including engineering, planning, legal and other expenses associated with the
review of submitted materials.
Common mark williams the state of the state
Sums not utilized in the review process shall be returned if additional sums are deemed
necessary, I understand thatI will be notified of the required amount and shall add-that sum
to the escrow account within fifteen (15) days. ANSELL GRIMM & AARON, PC, Attorneys for Applicant
Date: 10 2 3 Applicant: By:
Date: Applicant: By: RICK BRODSKY, ESQ.
9

PLOT PLAN OR VARIANCE PLAN BOROUGH OF SEA BRIGHT PLANNING/ZONING BOARD

Applicati	ion No	Date 1/10/2023		
Applicati	ion Na			
Applicati	ion Ad	ddress_ 6 Willow Way, Sea Bright, NJ 07760		
Property	Addr	ress 6 Willow Way	Block ²⁷	Lot_ ^{7.01}
OUEOU				
CHECKI	the publication of			1 1 1 1 1 1
		ance of a Certificate of Completeness and		
submitte		ve Officer shall determine that the following	ng documents ha	ive been
PROPERTY AND ADDRESS OF THE PARTY AND		tod by Applicant (Occasional New New York	-t- NIAt!	150(0)
N/A		ted by Applicant (C=complete, N=Not compl 17 copies of Zoning Permit Denial	ete, NA=not-appli	cable)
C		17 copies of completed application and che	ack list signed dat	od and
	2.	notarized, plus one marked " FOR PUBLIC		eu, anu
С	3	17 sets of plot plan or variance plan signed		zad also
	0.	Show Base Flood Elevation, plus one ma		
		INSPECTION"	arkou i orti obi	
С	4.	17 copies of Survey (unless Variance Plan	states that it is bas	sed upon
th		vey). Must indicate mean high waterline, if p		
N	5.	17 (sets of) Photographs of property/dwelling	ng as it currently e	xists
C		Description of proposed operation (No. 15 i		
C	7.	Request for any variances (under No.11 in	first part of applica	ition)
N/A		Certificate of owner authorizing submission	(after No. 26 in fir	st part of
	pplica			
N		Required application fees/check made paya		
N		Required escrow fees/check made payable	to Borough of Sea	a Bright
N Requested		Completed W-9 Form		
C		Certification that taxes and sewer utility cha	irges are paid to d	ate
Requested		Completed Notice of Hearing		
requested	_ 14.	Certified list of property owners within 200 f	eet	
The follo	owing	requirements must also be met before a	n application ma	v be heard:
		Affidavit of Mailing and Service for Public N		
h	earing		(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	., - р
		Affidavit of Publication for Public Notice (Pro	ovide 7 days prior	to hearing.)
,		The state of the s	ed validation (1) (1) (1) value (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	•
If Applica				
		Proof of Application to Monmouth County		
		Proof of application to NJDOT		
		Application for CAFRA	a.	
-		Application for Floodplain Encroachment P		
	_ 21	Application for Stream Encroachment Perm	nit	
After the	appli	cation is deemed complete the Board Secre	tary will provide vo	u with a hearing
		ou may notice property owners.	tary will provide ye	a with a ficalling
		receipts are to be provided at least 7 days	orior to hearing d	ate.
I certify the	he ab	ove information is accurate and complete. ANSELL GRIMM & AARO	1	
	, [pplicant
DATED:_		0/23 NAME: By: RICK BRODSKY, ZS	69.	
LICENSE	NO	SIGNATURE/		
SEAL:				

11

APPLICANT: MICHAEL AND VICKI TATELMAN

APPLICATION NUMBER: 2022-01

BLOCK: 27 LOT: 7.01

ADDRESS: 6 WILLOW WAY RESOLUTION NUMBER: 2202-01



RESOLUTION OF THE UNIFIED PLANNING/ZONING BOARD OF THE BOROUGH OF SEA BRIGHT FOR BULK VARIANCE RELIEF

WHEREAS, VICE CHAIR DAVID DeSIO offered the following Motion moved and seconded by COUNCILMAN BIEBER:

WHEREAS, MICHAEL AND VICKI TATELMAN hereinafter referred to as the "applicant", by and through their attorney, RICK BRODSKY, ESQ., filed an application with the Unified Planning/Zoning Board of the Borough of Sea Bright, (hereinafter referred to as the "Board") seeking the following relief:

To consider an application to permit the demolition of the existing single-family residential dwelling and the construction of a new single-family residential dwelling, with respect to premises located in the R-2 Zone and known as Block 27, Lot 7.01 on the Tax Map of the Borough of Sea Bright, and commonly known as 6 Willow Way, Sea Bright, New Jersey. Applicant is seeking the following variances:

- (i) "c" variance: 130-39.C Front yard setback of 16.9 feet proposed, where 20.5 feet is existing and 25 feet is required
- (ii) "c" variance: 130-39.C Building height of 3 stories proposed, where 1 story is existing and a maximum of 2.5 stories is permitted
- (iii) "c" variance: 130-39.C Building height of 39 feet proposed, where ±19 feet is existing and a maximum of 38 feet is permitted

In addition, the Applicant will request such other variances, exceptions, interpretations, and design waivers as may be determined to be necessary by the Planning/Zoning Board, and/or its professionals, in order to develop this property as stated above and will amend its application on the record accordingly.

WHEREAS, the application pertains to premises known and designated as Block 27, Lot 7.01 on the Tax Map of the Borough of Sea Bright, which premises are located at 6 Willow Way, Sea Bright, NJ 07760; and

WHEREAS, all notice requirements were satisfied by the applicant and the Board has jurisdiction to hear, consider and determine the application at issue; and

WHEREAS the Board held a public hearing with regard to the referenced application on the following date, JANUARY 25, 2022:

WHEREAS, the following items were entered as Exhibits at the hearing which includes but is not limited to; any and all documentation as submitted and appearing on the Sea Bright website (seabrightnj.org) for presentation at the Public Meeting conducted in person, with public notice:

The following exhibits had been made available for view on the Borough website:

- Zoning Permit Denial No. 2021-085, dated 10/22/21
- Application, received 11/22/21
- Survey prepared by Seneca Survey Co., dated 1/29/18
- Architectural Plans prepared by Anthony M. Condouris, Architect, dated 10/5/21, consisting of three (3) sheets
- Two (2) Photos of property as it currently exists, undated
- Jurisdictional Packet, received 1/21/22

Exhibits introduced at the meeting:

- A-1 a height diagram comparison October 5, 2021
- A-2 a colorized rendering aerial view with front yard setback
- A-3 a colorized rendering northwest side
- A-4 a colorized rendering northeast side

WHEREAS The Board listened to the Testimony of the following:

1. ARCHITECT ANTHONY CONDOURIS

WHEREAS The Board took Questions from the following member of the Public as to the witnesses presented:

NONE.

WHEREAS, The Board took Public Commentary on the Application upon conclusion of the witness testimony as follows:

1. PAUL HALL

WHEREAS, the Board, having given due consideration to the Exhibits moved into evidence and the Testimony presented at said hearing(s), does make the following findings of fact:

1. The applicants wish to demolish the existing single-family home and construct a new single-family home. Approval for three variances is requested: for front yard setback where 25' is required and 16.9' is proposed, for building height where 2.5 stories are allowed and 3 stories are proposed, and for building height where 38' is allowed and 39' is proposed. Other setbacks will be brought into conformity, so despite the 3 variances the property is actually being brought into more conformity than presently exists.

- 2. The proposed setback for the property is set at 16', but the existing condition is currently 12'. Therefore, this setback will be a bit further back than the neighboring properties.
- 3. Vice Chair DeSio pointed out that the front yard setback variance will be decreased even further because the correct existing setback is 10.9'
- 4. Mr. Condouris advised, and the Board accepted, that the new house setbacks will comply on the back and sides of the house. The applicants are asking for 39' height, which is 1' more than allowed under the ordinance, driven by roof line design. Mr. Condouris provided an illustration with a comparably designed ordinance-compliant house with a different roofline, which is actually over 10' taller in height than the proposed design, based upon the height calculation in the current ordinance. The proposed design does not have a sloped roof and has full walls as it is a low-pitched roof for low impact design.
- 5. Mr. Brodsky discussed the number of stories proposed, which is driven by the design and design calculations under the ordinance. The applicants are asking for three stories, the third being a partial story which can be only one third of the second story in square feet.
- 6. Mr. Condouris stated that the final lot surface will be grass plus a driveway.
- 7. Engineer Hoder pointed out that the plot plan, required later, will show grading, and water and sewer lines. Applicant agrees to fully repair any damage to sidewalk as a condition of approval. Applicant must also comply with comments in the Board Engineer's letter for notes on plan, etc.. There will be a review and a plot plan to be submitted for approval as well as any drainage calculations/reports to be complied with. Applicant must also show mechanicals and must also show water and sewer lines/hookups on the plan. Either Avakian (Town Engineer) or Hoder (Board Engineer) shall review plot plan/drainage and approve same.
- 8. All other spaces other than driveway will be grass/landscaping.
- 9. The Board discussed that the third floor provides the benefit of additional living space, and the additional foot with the current height calculation does not create any negative impact. The Board discusses that the home is not out of character with other homes in town for height.
- 10. The applicant, if necessary, must meet fire code on a 3 story home and will comply with construction code.
- 11. Vice Chair DeSio stated that the application is improving the setbacks and centering the house, and that this is a good application.
- 12. Chairman Cunningham stated that most of the third floor is open air and that there are a fair number of homes in this style in the neighborhood

WHEREAS, In order to prevail on an application for a variance, the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D – 70, requires the applicant to establish that the variance can be granted without substantial detriment to the public good and that the granting of the variance does not substantially impair the intent and purpose of the master plan, zone plan and zoning ordinance.

NOW THEREFORE, BE IT RESOLVED, by the Unified Planning/Zoning Board of the Borough of Sea Bright that it hereby adopts the aforesaid findings of fact and specifically makes the following conclusions:

a. Based upon the aforesaid findings of fact, the Board concludes that:

- i. The applicant has demonstrated that the proposed use of the property in question is substantially the same kind of use as that to which the premises were devoted at the time of the passage of the zoning ordinance.
- b. Based upon the aforesaid findings of fact, the Board further concludes that the granting of the approval set forth herein will not cause substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning ordinance and the zoning plan of the Borough of Sea Bright.
- c. The Board specifically includes herein by reference, the Transcripts from the hearings, which provide the detailed basis and description of the decision as memorialized in this Resolution and do hereby rely upon same for further reference, as necessary.

BE IT FURTHER RESOLVED, by the Unified Planning/Zoning Board of the Borough of Sea Bright that the following be and are hereby GRANTED, as follows:

Applicant is GRANTED bulk variance relief pursuant to NJSA 40:55D-70.c and applicant is granted variances to construct the single family home per the plans submitted with this application, as follows:

- 1. "c" variance: 130-39.C Front yard setback of 16.9 feet proposed, where 20.5 feet is existing and 25 feet is required
- 2. "c" variance: 130-39.C Building height of 3 stories proposed, where 1 story is existing and a maximum of 2.5 stories is permitted
- 3. "c" variance: 130-39.C Building height of 39 feet proposed, where ± 19 feet is existing and a maximum of 38 feet is permitted

As a condition of approval, Applicant agrees to fully repair any damage to sidewalk post construction, if required, to the Borough's specifications. Applicant must also comply with comments in the Board Engineer's letter for notes on the plans. There will be a review and a plot plan submitted for approval and any and all drainage calculations/reports shall be complied with. Applicant must also show mechanicals and must also show water and sewer lines/hookups on the plan to be provided. Either Avakian (Town Engineer) or Hoder (Board Engineer) shall review plot plan/drainage and approve same, prior to construction permits being issued.

ALL APPROVALS GRANTED HEREIN ARE SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) The applicant shall comply with any requirements established by, and obtain any necessary approvals of the following, IF APPLICABLE, to the proposed construction herein:
 - a. SUBJECT TO ALL REPRESENTATIONS AND TESTIMONY OF THE APPLICANT BEING TRUTHFUL AND ACCURATE

APPLICATION VOTE:

Adopted on a roll call on a motion by Board Vice Chair DeSio and Seconded by Board Member Councilman Bieber

THOSE IN FAVOR: Bieber, Cashmore, Cunningham, DeSio, Gorman, Lawrence, DeGiulio

THOSE OPPOSED: None

RECUSED: None

ABSENT: Bills, Kelly, Leckstein, Schwartz

ABSTAINED: None

MEMORIALIZATION VOTE:

Adopted on a roll call on a motion offered by Board Vice Chair DeSio and Seconded by Board member Lawrence

THOSE IN FAVOR: Bieber, Cashmore, Cunningham, DeSio, Gorman, Lawrence

THOSE OPPOSED: None

RECUSED: None

ABSENT: DeGiulio

ABSTAINED: None

I certify the foregoing to be a true copy of the Resolution memorialized by the Unified Planning/Zoning Board of Sea Bright at its meeting on February 8, 2022.

Date: February 8, 2022

Candace B. Mitchell

Administrative Officer of the Planning Board

of the Borough of Sea Bright

Michael and Vicki Tatelman 6 Willow Way Block 27, Lot 7.01

LIST OF VARIANCES

- (i) "c" variance: 130-39.C Front yard setback of 17.2 feet proposed, where 20.5 feet is existing and 25 feet is required
- (ii) "c" variance: 130-39.C Building height of 3 stories proposed, where 1 story is existing and a maximum of 2.5 stories is permitted
- (iii) "c" variance: 130-39.C Building height of 39 feet proposed, where ±19 feet is existing and a maximum of 38 feet is permitted

BOROUGH OF SEA BRIGHT MONMOUTH COUNTY, NEW JERSEY NOTICE OF HEARING

TO ALL OWNERS OF PROPERTY LOCATED WITHIN A RADIUS OF TWO HUNDRED FEET FROM BLOCK 27, LOT 7.01.

PLEASE TAKE NOTICE that Michael and Vicki Tatelman have applied to the Planning/Zoning Board of the Borough of Sea Bright to consider an amended application to permit the single-family residential dwelling under construction, which dwelling is mistakenly not in the location previously approved by the Planning/Zoning Board of the Borough of Sea Bright, with respect to premises located in the R-2 Zone and known as Block 27, Lot 7.01 on the Tax Map of the Borough of Sea Bright, and commonly known as 6 Willow Way, Sea Bright, New Jersey, to remain. Applicant is also seeking the following variances:

- (i) "c" variance: 130-39.C Front yard setback of 17.2 feet proposed, where 20.5 feet is existing and 25 feet is required
- (ii) "c" variance: 130-39.C Building height of 3 stories proposed, where 1 story is existing and a maximum of 2.5 stories is permitted
- (iii) "c" variance: 130-39.C Building height of 39 feet proposed, where ±19 feet is existing and a maximum of 38 feet is permitted

In addition, the Applicant will request such other variances, exceptions, interpretations and design waivers as may be determined to be necessary by the Planning/Zoning Board, and/or its professionals, in order to develop this property as stated above and will amend its application on the record accordingly.

A regular meeting will be held by the Planning/Zoning Board of the Borough of Sea Bright on Tuesday, ______, 2023 at 7:30 p.m. at the Sea Bright Beach Pavilion, 3rd Floor, 1097 Ocean Avenue, Sea Bright, New Jersey, at which time you may appear in person or by agent or attorney and present any objection which you may have to granting this application.

A copy of the maps and application documents have been filed in the office of the Board Secretary and are available for public inspection at the Borough Hall, 1099 Ocean Avenue, Sea Bright, New Jersey during normal business hours and are available on the Borough website at www.seabrightnj.org.

This Notice is sent to you by the Applicant, by order of the Planning/Zoning Board of the Borough of Sea Bright.

ANSELL GRIMM & AARON Attorneys for Applicant

	By:	
Dated: January 10, 2023	RICK BRODSKY, ESQ.	