

**APPROVED MINUTES
REGULAR MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD
TUESDAY, MAY 28, 2024**

Call to Order and Flag Salute

Vice Chairman 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 notice of the time, date, and location of this meeting to the Asbury Park Press and Two River Times, 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: Cashmore, DeSio, Lawrence, Leckstein, Lefkort, Zelina

Absent: Bills, Cunningham, Kelly, Schwartz

Also in attendance: board attorney Ben Montenegro, board engineer David J. Hoder, and board secretary Candace B. Mitchell

ITEMS OF BUSINESS

Approval of 5/14/24 Regular Meeting Minutes

Mr. Leckstein offered a motion to approve the minutes. A second was offered by Mr. Lawrence, and the motion was adopted upon the following roll call vote of eligible members:

Aye: Lawrence, Leckstein

Nay: none

Memorialization of Resolution

**RESOLUTION OF THE
SEA BRIGHT PLANNING-ZONING BOARD
GRANTING ADMINISTRATIVE APPROVAL FOR REMOVAL OF CONDITION
APPLICANT: SEA BRIGHT SCHOOL, LLC
PROPERTY: RIVER STREET (LOT 4, BLOCK 15)**

WHEREAS, Sea Bright School, LLC, whose mailing address is 4 Cordelia Court, Long Branch, New Jersey 07740, has applied to the Borough of Sea Bright Unified Planning-Zoning Board for administrative approval to remove a condition, from prior Resolution of Approval dated

5/14/19 (memorialized 6/11/19), that required drywells on each lot created by the approved subdivision affecting premises located at 4 River Street, also known as Lot 4 Block 15, as designated on the Tax Map of said Municipality; and

WHEREAS, a public hearing was held on the said application on May 14, 2024 in the Municipal Building of said Municipality and testimony and exhibits were presented on behalf of the applicant and all interested parties having been heard; and

WHEREAS, the said Board, having considered said application, testimony, exhibits submitted, and from its inspection of the site, it makes the following determinations:

1. The tract in question is in the R-3 Zone.
2. The applicant is seeking administrative approval to eliminate the condition in the prior resolution of approval requiring drywells on each of the 8 approved lots.

4. The following were submitted in support of the application:

- a. Application for Administrative Approval to Amend Prior Preliminary and Final Major Subdivision Approval Resolution dated 5/14/19 (memorialized 6/11/19).
- b. Board Resolution of Approval (Approved 5/14/19; Memorialized 6/11/19)
- c. Geotechnical Report by Dynamic Earth Engineering, dated 8/18/23
- d. Board Engineer David J. Hoder report dated 5/11/24

5. Charles P. Kelly, Esq. presented the application as follows, to wit:

- A. The prior approval required as a condition that applicant provide for drywells for each lot of the approved subdivision.

- B. Applicant has since obtained a geotechnical report from Dynamic Earth Engineering dated 8/18/23 and submitted same to the Board Engineer. The report indicates that the

water table is located between 3.0-3.7 feet below the surface. Thus, the presence of the high water table does not allow for the construction of useful infiltration or recharge devices.

B. He acknowledged and agreed that all conditions of the prior subdivision approval remain binding on applicant, unless specifically modified herein.

6. No persons appeared in opposition to the Application.

7. The Board makes the following findings, to wit:

A. The proposed elimination of the condition of approval which required drywells for each lot is consistent with the original plan and will create no substantial detriment or impact on the overall site plan nor to the surrounding property owners, nor to the municipal zone plan/zoning ordinance. The modification does not constitute a significant change nor elimination of any significant condition of approval of the original plans approved via Resolution of Approval (approved 5/14/19, memorialized 6/11/19).

B. The modification submitted requires no additional variance relief and is appropriate for the subdivision plan approved.

NOW THEREFORE, BE IT RESOLVED, by the said Board that on this 14 day of May, 2024, based on the findings hereinabove stated, it does hereby grant the administrative approval application subject to the following conditions:

1. Applicant should obtain any other approvals with respect to the submission from any other Federal, County, State or Municipal Agency having jurisdiction over same.

2. Applicant should re-submit this entire proposal should there be any deviation from this Resolution or the submitted documents which are hereby made a part hereof and shall be binding on the applicant.

3. Applicant shall construct at applicant's sole cost and expense all improvements reflected on the submitted documents or required by this Resolution.

4. All requirements and conditions of prior approval for Preliminary/Major Subdivision (Resolution of Approval approved 5/14/19; memorialized 6/11/19) for the site shall remain in full force and effect unless specifically modified herein.

Approval:

Moved by: Mr. Leckstein

Seconded by: Chairman Cunningham

ROLL CALL VOTE

Those in Favor: Mr. Leckstein, Ms. Bills, Chairman Cunningham, Mr. Lawrence and Mr. Schwartz

Those Opposed: none

Memorialization:

Moved by: Mr. Leckstein

Seconded by: Mr. Lawrence

ROLL CALL VOTE

Those in Favor: Mr. Lawrence, Mr. Leckstein

Those Opposed: none

The foregoing is a true copy of a Resolution adopted by said Board at its meeting on May 14, 2024 and memorialized at its meeting on May 28, 2024, as copied from the Minutes of said Meeting.

DATED: May 28, 2024

Candace B. Mitchell
Candace B. Mitchell
SECRETARY OF THE BOARD

Application No. 2024-06

MSA Architects – Tammy Caron

Christopher Pultorak, owner

504 Ocean Avenue, Bl. 30, L. 2 (R-2 zone)

Seeking bulk variance approval to add an indoor elevator

In attendance for the application were owners Kathy and Christopher Pultorak, and architect James Connor of MSA Architects.

Items submitted in support of the application:

- Zoning Denial dated 2/23/24
- Variance Plan dated 2/23/24
- Existing survey dated 4/17/18
- Architectural Drawings dated 2/20/24
- Flood Elevation Certificate, Letter dated 2/3/22

Property owners Kathleen and Christopher Pultorak were sworn in to testify. Mr. Pultorak explained that they wish to install an enclosed elevator.

Architect James Connor was sworn in to testify and was accepted by the board as an expert witness. Mr. Connor described the elevator dimensions and placement as he exhibited the plans.

Mr. Leckstein asked whether the materials used will blend in with the exterior of the house and stated that it will be a condition of approval. Mr. Pultorak replied that the materials will blend in.

Mr. DeSio asked whether the floodplain issue from 2022, before the last approval, has been resolved. Mr. Pultorak replied that it has been resolved.

There were no questions for the applicants from the public.

Mr. Leckstein offered a motion to approve the application, with a second offered by Mr. Zelina. The motion was adopted upon the following roll call vote of eligible members:

Aye: Cashmore, DeSio, Lawrence, Leckstein, Lefkort, Zelina

Nay: none

Application No. 2024-04

Frank Camuso, LP and Vince Sciortino

14 South Way, Bl. 30, L. 63 (R-2 zone)

Seeking use variance approval for expansion of a pre-existing non-conforming use for a second floor addition to existing accessory dwelling

The attorney for the applicant had written to the Board requesting the application be carried further. Mr. DeSio announced that the application will be carried to the meeting of July 9th with no further noticing requirement.

ANY OTHER BUSINESS FOR THE BOARD

Board review and recommendations for a new stormwater control ordinance proposed by the state to replace Sea Bright Ordinance No. 02-2021

Board engineer David Hoder explained that he had attended a DEP seminar about the new ordinance, and he explained the changes to the board. He said towns will have a year to adopt the changes, and that most of the changes have to do with major projects, those involving an acre or more, which Sea Bright does not have. The new calculations for stormwater will increase the amount of projected water flow, which will mean larger recharge basins. The ordinance will also make changes in the methodology for cleaning and filtering water, making standards more stringent. Also, pervious and impervious surfaces will be redefined. Stone that is driven upon, and, hence, compacted, will now be considered impervious.

Mr. Leckstein added there will be basically nothing which will affect Sea Bright. Mr. Hoder added that 99% of our applications will not be affected at all.

Mr. Hoder said that he has no comment to make to Borough Council regarding the new ordinance and has nothing to add. Mr. DeSio asked the board secretary to send a response to Council stating no objections and no changes suggested by the board.

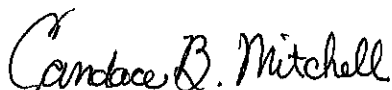
GENERAL PUBLIC COMMENTS

There were no general public comments, and the public portion of the meeting was closed. With no further business to come before the board, the next meeting date of 6/11/24 was announced.

ADJOURNMENT

The meeting was adjourned at 7:55 p.m. on a motion offered by Councilman Leckstein, a second was offered by Mr. Lawrence, and a unanimous voice vote made by the board members.

Respectfully submitted,



Candace B. Mitchell
Board Secretary