

APPLICATION NUMBER: 2022-16
BLOCK: BLOCK 13, LOT 17
BLOCK 15, LOT 9
ATTORNEY FOR APPLICANT: ROGER MCLAUGHLIN, ESQ.
RESOLUTION NUMBER: 2022-16



**RESOLUTION OF THE UNIFIED PLANNING-ZONING BOARD
OF THE BOROUGH OF SEA BRIGHT
RECOMMENDING THE USE OF THE AMENDED NEEDS STUDY FOR INCLUSION
AND AMENDMENT OF THE APPROVED
SEA BRIGHT RIVER PROPERTIES REDEVELOPMENT PLAN**

WHEREAS, BOARD MEMBER JON SCHWARTZ, offered the following Resolution moved and seconded by **BOARD VICE CHAIR DAVID DeSIO**:

WHEREAS, The Unified Planning Board was directed by the Municipal Council to conduct a preliminary investigation in order to investigate the area comprised of the properties listed below (the "Study Area") to determine if the Study Area should be designated as an area in need of redevelopment under the LRHL for inclusion in the already designated Sea Bright River Properties Redevelopment Area and subject to the Sea Bright River Properties Redevelopment Plan. The following properties are included within the Study Area:

Block 13, Lot 17
Block 15, Lot 9

With the map showing the boundaries of the Study Area and the location of the properties included therein and the Resolution setting forth the basis of the preliminary investigation of the Study Area available to be inspected at the office of the municipal clerk; with the public hearing to be part of the preliminary investigation of the Study Area, the Unified Planning Board shall hear testimony regarding whether some or all of the Study Area qualifies as an area in need of redevelopment under the LRHL and shall also hear any other persons who are interested in or who are affected by a determination that the Study Area is an area in need of redevelopment under the LRHL.

WHEREAS, the application pertains to premises known and designated as Blocks **13, Lot 17 and Block 15, Lot 9** on the Tax Map of the Borough of Sea Bright;

WHEREAS, notice to the general public was provided pursuant to statute (two times with the last notice published at least 10 days prior to the within hearing) and the Board has jurisdiction to hear, consider and provide guidance on the approval and inclusion of the Amended Needs Study for the referenced Redevelopment Plan; and

WHEREAS, the Board held a public hearing with regard to the referenced matter on the following date, **NOVEMBER 22, 2022**:

WHEREAS, the following items were entered as Exhibits at the hearing:
NONE.

WHEREAS, The Board listened to the Testimony of the following:

JENNIFER BEAHM, P.P. (BOARD PLANNER; BOROUGH PLANNER)

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

NONE.

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

NONE.

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. Board Planner Jennifer C. Beahm was sworn in to testify. Ms. Beahm had prepared a document, named "Area in Need of Redevelopment Investigation," dated November 2022, for the Board to consider in conjunction with the directive of the Resolution prepared by the Borough of Sea Bright and forwarded for this Board's consideration.
2. Ms. Beahm explained that two mid-block properties owned by the Borough, namely Bl. 13, L. 17 and Bl. 15, L. 9 were not included in the original study area designation nor on the redevelopment plan.
3. Ms. Beahm advised that Council's intention was always to include these properties in the redevelopment plan but since they were Borough-owned properties, or would be included as a result of a "land swap", the lots were never referenced in the original Plan, despite their obvious location for inclusion.
4. The Board has been asked to approve and recommend inclusion of the Amended Needs Study prepared by Ms. Beahm, to include these properties.
5. Ms. Beahm stated that including these properties in the study area designation is essential to the implementation of the approved redevelopment plan.
6. Ms. Beahm recommended an affirmative vote by the Board to include these properties per the original intent for inclusion and advised the Board to adopt a resolution recommending inclusion of the amended needs study into the Redevelopment Plan.
7. Board Counsel, Attorney Kowalski also stated that these blocks need to be included in the noticing so that everyone has the opportunity to understand the proposal moving forward so that notice shall not be deemed defective under the MLUL.

NOW THEREFORE, BE IT RESOLVED, by the Unified Board of the Borough of Sea Bright 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 inclusion of the Amended Needs Study into the approved Redevelopment Plan is necessary and appropriate:
 - ii. The Board has the authority, upon testimony, to recommend the approval and inclusion of the Amended Needs Study into the Redevelopment Plan under jurisdiction provided by the Plan itself, Municipal Authority and the MLUL in its advisory capacity to the Borough, and;

- iii. The Board has been provided with information on the application and has been presented with testimony from the Applicant or their professionals, which testimony has been supplemented with the advice of Board professionals and does hereby decide the request.
- b. **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 Board of the Borough of Sea Bright that the following be and are hereby recommended to the Council of Sea Bright under Resolution Requests for Review;

The inclusion of the Amended Needs Study Area provided and prepared by Jennifer Beahm, P.P., Borough Planner, be included in the current approved redevelopment plan, which designates an area in need of redevelopment under the LRHL. The subject lots which are referenced in the Amended Needs Study, Block 13, Lot 17 and Block 15, Lot 9, are hereby recommended for immediate inclusion by Ordinance of the Borough of Sea Bright in the already designated Sea Bright River Properties Redevelopment Area and subject to the Sea Bright River Properties Redevelopment Plan.

APPLICATION VOTE:

Adopted on a roll call on a motion by Board member Jon Schwartz and seconded by Board Vice Chairman DeSio:

THOSE IN FAVOR: Cashmore, Cunningham, DeSio, , Lawrence, Schwartz, DeGiulio

THOSE OPPOSED: None

RECUSED: Bieber, Gorman (Conflict)

ABSENT: Bills, Kelly, Leckstein

ABSTAINED: None

MEMORIALIZATION VOTE:

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

THOSE IN FAVOR: Cashmore, Cunningham, DeSio, Lawrence, Schwartz

THOSE OPPOSED: None

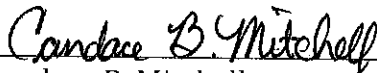
RECUSED: Bieber (Conflict)

ABSENT: Gorman, 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 December 13, 2022.

Date: December 13, 2022


Candace B. Mitchell
Administrative Officer
Unified Planning-Zoning Board
Borough of Sea Bright