

**MINUTES
SPECIAL REMOTE MEETING – VIRTUAL ACCESS ONLY
BOROUGH OF SEA BRIGHT**

AUGUST 28, 2024 (Wednesday)

SEA BRIGHT, NEW JERSEY

TO ATTEND THIS MEETING REMOTELY PLEASE USE THE FOLLOWING:

<https://meet.goto.com/122285213>

OR DIAL: 408-650-3123

Access Code: 122-285-213

Mayor Kelly called the meeting to order at 9:00 a.m. and requested those present to join in the Pledge of Allegiance.

Mayor Kelly read the following Compliance Statement:

Good Morning Ladies and Gentlemen,

This meeting is now called to order. In line with the Borough of Sea Bright's longstanding policy of open government, and in compliance with the "Open Public Meetings Act", I wish to advise you that the **48-hour** notice requirement for this special meeting has been met. A copy of the agenda was sent to the Asbury Park Press and other local newspapers on August 23, 2024, and posted on the bulletin board in the Borough office. This meeting is open to the public.

PRESENT: Mayor Brian P. Kelly

Councilmembers Erwin Bieber, Samuel A. Catalano, Heather Gorman,
William J. Keeler, John M. Lamia, Jr.

ABSENT: Councilmember Marc A. Leckstein (recused from meeting due to conflict of interest)

OTHERS: Borough Attorney Roger J. McLaughlin, Administrator Rachel Giolitto and
Clerk Christine Pfeiffer

REMARKS FROM THE AUDIENCE: (limited to 3 minutes)

The Public Comment portion of this meeting allows members of the audience to bring their concerns or comments to the Mayor and Council's attention. Pursuant to Borough Ordinance 3-2011, a member of the public who wishes to speak shall give his/her name and address for the record and may have up to three minutes to state his/her comments to the Mayor and Council as a Body. If additional time or information is requested, an appointment can be made with the Administrator's office during regular business hours.

No one wished to be heard.

Ordinance(s):

Introduction: Mayor Kelly to read the ordinance by title:

ORDINANCE NO. 14-2024

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT AMENDING CHAPTER 130,
"LAND USE", OF THE CODE OF THE BOROUGH OF SEA BRIGHT, CREATING A
RESIDENTIAL OVERLAY ZONE FOR BLOCK 19, LOTS 2, 2.01 AND 3.**

Councilmember Bieber offered a motion to introduce Ordinance No. 14-2024 for a public hearing to be held on October 15, 2024 and advertise according to law; seconded by Councilmember Catalano:

| | | | | | | |
|-------------------|---------|-----------|---------|---------|--------|-----------|
| Roll Call: | Bieber, | Catalano, | Gorman, | Keeler, | Lamia, | Leckstein |
| | Yes | Yes | Yes | Yes | Yes | Absent |

BE IT ORDAINED by the Borough Council of the Borough of Sea Bright in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE. Chapter 130 "Land Use", of the Code of the Borough of Sea Bright, Article VII, "Area, Bulk and Use Requirements", Section 130-37 "Zones and Districts", Subsection 130-37C, "Establishment of Districts", be and the same is hereby amended and supplemented to read in full as follows:

"§ 130-37C. Establishment of districts: The zones shown on the Zoning Map are hereby categorized into the kinds of districts as listed below according to the principal intent of each of the various zones as set forth subsequently in this section:

- (1) Residential districts
 - (a) R-1 Residence Zones
 - (b) R-2 Residence Zones
 - (c) R-3 Downtown Residence Zone
 - (d) R-4 Multi-family Housing

- (2) Business districts
 - (a) B-1 Central Business District
 - (b) B-2 Riverfront Business District
 - (c) B-3 Oceanfront Business District
- (3) Coastal Protection District
 - (a) CP Coastal Protection District
- (4) Mixed Use Business/Residential Zones
 - (a) B-R Business Residential Zone
 - (b) RO Residential Overlay Zone”**

SECTION TWO. Chapter 130 “Land Use” of the Code of the Borough of Sea Bright, Article VII, “Area, Bulk and Use Requirements”, be and the same is hereby amended and supplemented by the addition thereto of the following section:

“130-43. Lots included in the RO Residential Overlay Zone.

The following lots, located on East Ocean Avenue between East Surf Street and East Center Street be and the same are hereby included in the RO Residential Overlay Zone:

Lot 3, Block 19 (commonly known as the “Mad Hatter”property)

Lot 2, Block 19

Lot 2.01, Block 19 (vacant properties located between Lot 3 and the Community Center)”

SECTION THREE. Chapter 130, “Land Use”, of the Code of the Borough of Sea Bright, Article VII, “Area, Bulk and Use Requirements”, Section 130-38 “Uses permitted”, subsection 130-38C, “Use regulations”, be and the same is hereby amended and supplemented by the addition thereto of the following subsection 130-3C(8):

“(8) Use regulations in the RO Residential Overlay Zone:

(a) Permitted primary uses.

[1] Class I, residential uses:

[2] Residential uses in multistory buildings, located above any of the permitted uses as listed below.

[3] Class II, retail business uses. Type of use:

[a] Food, drug and liquor stores.

[b] Apparel, accessory and jewelry shops.

[c] Department stores and mail order houses.

[d] Variety stores (five-and-ten-cent stores and catalog stores).

[e] Home furnishing stores.

[f] Restaurants.

[g] Book, stationery and gift shops.

[h] Sporting goods and bicycle shops.

[i] Antique stores (and secondhand shops).

[j] Household hardware stores.

[k] Automotive accessory stores.

[l] Boating and fishing accessory stores.

[m] Internet cafe.

[4] Class III, finance, insurance and real estate (business). Type of use:

- [a] Banks and savings and loan offices.
- [b] Insurance carriers and agents.
- [c] Real estate agents.
- [d] Stock brokers, agents and dealers.

[5] Class IV, personal service establishments (business). Type of use:

- [a] Laundering and dry-cleaning shops.
- [b] Photographic studios.
- [c] Beauty and barber shops.
- [d] Apparel alteration and repairs.
- [e] Yoga and exercise spa and massage therapy and well-being establishments.
- [f] Dog grooming and pet grooming.

[6] Class V, business service establishments. Type of use:

- [a] Advertising agencies.
- [b] Consumer credit reporting and collection offices.
- [c] Duplicating and mailing services.
- [d] News media services (not transmitter towers).
- [e] Employment services.
- [f] Building maintenance services (janitorial, etc.).
- [g] Business management consulting services.

[7] Class VI, repair services (business). Type of use:

- [a] Household appliance repairs.
- [b] Watch and clock repairs.

[8] Class VII, professional services (business). Type of use:

- [a] Physician's and dentist's offices (excluding doctors of veterinary medicine).
- [b] Medical and dental laboratories.
- [c] Architecture, legal and engineering offices.
- [d] Accounting and bookkeeping services.

[9] Class VIII, transportation facilities (business). Type of use:

- [a] Curbside passenger shelters.
- [b] Commercial parking garages.

[10] Class IX, utilities (business). Type of use:

- [a] Rights-of-way.
- [b] Business and administrative offices.

[11] Class X, government services (public). Type of use:

- [a] Public buildings (municipal, county or state).
- [b] Public schools (all grade levels).
- [c] Private schools (all grade levels).

(b) Conditional uses.

[1] Multifamily B.

[2] Class XII, hotels.

(c) Accessory uses.

[1] Internet services.”

SECTION FOUR. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

SECTION SIX. This Ordinance shall take effect upon its passage and publication according to law.

ADJOURNMENT:

Councilmember Keeler offered a motion to Adjourn the Special meeting; seconded by Councilmember Catalano:

| | | | | | | |
|-------------------|---------|-----------|---------|---------|--------|-----------|
| Roll Call: | Bieber, | Catalano, | Gorman, | Keeler, | Lamia, | Leckstein |
| | Yes | Yes | Yes | Yes | Yes | Absent |

Respectfully Submitted,

Christine Pfeiffer
Borough Clerk