

**APPROVED MINUTES  
REGULAR MEETING OF THE SEA BRIGHT PLANNING/ZONING BOARD  
TUESDAY, March 26, 2024**

**Call to Order and Flag Salute**

Chairman Lance Cunningham called the meeting to order at 7:33 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, Cunningham, DeGiulio, DeSio, Lawrence, Leckstein, Zelina  
Absent: Bills, Kelly, Lefkort, Schwartz

Also in attendance: Board Attorney Ben Montenegro, Board Engineer David Hoder, Board Planner Christine Bell, and Board Secretary Candace B. Mitchell

**ITEMS OF BUSINESS**

**Approval of 3/12/24 Regular Meeting Minutes**

Councilman Leckstein offered a motion to approve the minutes. Second was offered by Ms. DeGiulio, and the motion was adopted on the following roll call vote of eligible members:  
Aye: Cashmore, DeGiulio, DeSio, Lawrence, Leckstein, Zelina  
Nay: none

**Application No. 2024-03 (carried from 3/12/24)**

Anthony Condouris for Charles Rooney  
East Ocean Avenue, Bl. 23, L. 128 (CP zone)  
Seeking bulk variance approval to build a second stairway over the sea wall on a single lot

Appearing in support of the application were Charles Rooney, subject property owner, and Anthony Condouris, architect.

Items submitted in consideration of the application:

- Borough of Sea Bright Planning/ Zoning Board Application dated February 2, 2024.
- Borough of Sea Bright Zoning Permit Denial dated December 20, 2023.
- Cover Letter from Anthony M. Condouris, dated February 8, 2024.
- Premier Deck Builders Deck Plans, consisting of one (1) sheet, prepared by Anthony M. Condouris Architect, Inc., dated January 29, 2024.

- Location and Topographic Survey, consisting of one (1) sheet, prepared by James B. Goddard, PLS, of Land Control Services, LLC, dated November 13, 2023.
- Easement Agreement, prepared by Kevin E. Kennedy, Esq., dated December 11, 2020.
- 3 photos dated January 12, 2024
- Board Planner's Review dated March 11, 2023, consisting of 3 pages
- Revised Plans, dated 1/29/24, revised to 3/13/24
- Sea Bright Construction specifications for sea wall stairs

Mr. Condouris was sworn in and accepted by the Board.

Mr. Rooney had previously been sworn in.

Mr. Rooney is the owner of the subject property and is seeking variance relief to allow the construction of a second set of stairs and deck to cross the sea wall on a single lot located in the CP zone. The two corresponding lots east of the CP lot are the result of a subdivision of Mr. Rooney's original property. Mr. Rooney did not subdivide the corresponding CP lot. His neighbor, Elliot Stern, who purchased one of the subdivided lots, would like to have beach access stairs across Ocean Avenue from the lot he purchased, and Mr. Rooney would like to enter into an easement agreement and accommodate Mr. Stern's request.

Revised plans were presented by Mr. Condouris. The revised plans have the dimensions included on them, a topic which had come up at the first hearing, whereby the first set of plans presented were not specific. The plans depict a proposed deck which is 12' wide by 20' long with a 4' walk-through for the benefit of the public walking along the sea wall.

Mr. DeSio stated that the stairs should be placed within 5' of the wall onto the splash pad, and the beach-side stairs should be placed 2' below the sand.

Engineer Hoder stated the following conditions: the ordinance says there will be no chairs on the deck that can be blown around; the stairs must be placed no more than 5' from the sea wall out onto the splash pad so that people can easily pass by; the walk-through on top has to be centered, which makes it safer.

Mr. Condouris stated that the staircase will keep as tight as possible to the sea wall. The stairs and platform will be consistent with existing stairs and platforms along the sea wall, and the sea wall stairs and deck will fully comply with the Borough-adopted "Specifications for Sea Wall Stairs."

There were no questions nor comments from the public, and Councilman Leckstein offered a motion to approve the application, with a second offered by Mr. Zelina. The motion carried upon the following roll call vote:

Aye: Cashmore, Cunningham, DeGiulio, DeSio, Lawrence, Leckstein, Zelina

Nay: none

**Application No. 2022-08 - Amended Preliminary Major Subdivision and Preliminary and Final Site Plan Approval**

Denholtz Acquisitions, LLC.

Redevelopment Area: Block 13, Lots 13-18, 20-22; Block 14, Lots 12 & 14; Block 15, Lots 5-12

Applicant proposes to amend the previous approval memorialized by Resolution on February 28, 2023 to allow for 4 bedroom units.

Board member Mark Zelina stepped down from the Board due to a direct conflict.

Appearing in support of the application were John A. Guinco, Esq., and Steven Lidster, Development Director for Denholtz Properties, LLC.

The following items were received in consideration of the application:

- Borough of Sea Bright Planning/Zoning Board Application
- The Site Plan Preliminary Checklist
- Site Plan Final Checklist
- Architectural plans entitled “Denholtz Properties Townhome Development – Model A” prepared by Daniel Condatore, RA, dated March 13, 2024 consisting of three (3) sheets
- Architectural plans entitled “Denholtz Properties Townhome Development – Model B” prepared by Daniel Condatore, RA, dated March 13, 2024 consisting of two (2) sheets
- Architectural plans entitled “Denholtz Properties Townhome Development – Model C (Group 1)” prepared by Daniel Condatore, RA, dated March 13, 2024 consisting of three (3) sheets
- Copy of the Resolution dated February 28, 2023
- Board Engineer’s Review dated March 19, 2024, consisting of 3 pages
- Board Planner’s Review dated March 20, 2024, consisting of 3 pages

Mr. Guinco opened the discussion, stating the applicant is requesting to modify the interiors of 29 units to make 4 bedrooms instead of 3. There will be no changes made to the outside of the buildings.

Board Planner, Christine Bell, stated that the Concept Plan for the approved development plan is clearly written, and the governing body approved 3 bedrooms.

Mr. Guinco stated that each unit, regardless of the number of bedrooms, is required to have 2 parking spots.

Councilman Leckstein stated that the governing body did not intend a limitless number of bedrooms.

Christine Bell stated the Resolution from the Planning Board mentions 3 bedrooms.

Board Attorney Ben Montenegro agreed that is what was approved.

Councilman Leckstein suggested Mr. Guinco take the matter to the Borough Council if the builder wants to change the number of bedrooms.

Steven Lidster, a principal at Denholtz, was sworn in to testify.

Councilman Leckstein asked Mr. Lidster, "It's financial, isn't it?"

Chairman Cunningham queried whether the Toll Brothers have any intention of making additional parking spaces.

Mr. Lidster answered, "No."

Vice Chairman David DeSio stated that parking is the greatest problem we have in this town.

Christine Bell stated that single-family homes only have the potential for 2 parking spaces.

Mr. Guinco asked the Board for an adjournment.

Councilman Leckstein stated that what has been asked for was not what was intended. He also stated that the Toll Brothers should have been at this meeting.

Christine Bell stated that Council's approval was based on a concept plan of 3 bedrooms and 2 parking spaces.

Councilman Leckstein stated the applicant would need an RSIS waiver or a variance for parking.

Board member Stephen Cashmore stated that the ordinance created by the Council was custom tailored to the applicant for 3 bedrooms.

Chairman Cunningham asked whether anyone in the Public would like to speak.

**Public Comments:**

Steven Bischoff, 12 South Street, was sworn in and commented that he is excited for this project and hopes the Board and the developer will come to a compromise.

Charles Rooney, 196 Ocean Avenue, was sworn in and spoke from the reference point of his former position as a Councilman. He stated that this redevelopment project was a big post-Sandy project by Council, and Council didn't want to have a negative impact on our year-round and long-term residents. All are looking forward to the development – the river walk and new bulkhead. Mr. Rooney stated that what they're asking for is not OK.

Christina Doxey, 9 Church Street, was sworn in and offered that she is totally opposed to this application. Approving it will adversely affect everyone on the street, and she is hoping the Board will not approve this.

Robert Long, 20 New Street, was sworn in and stated that he is opposed to 4 bedrooms. It is a reasonable concern of the governing body. It will impact parking, and this development is in the most densely populated part of town. The quality of life of residents will be affected.

Gareth Middleton, 22 Surf Street, was sworn in. Mr. Middleton stated several concerns: the infrastructure, re-working some street right-of-ways, and pergolas on top of houses. Mr. Guinco stated that the pergolas were a drafting error and will be removed. Chairman Cunningham stated, "They are gone." Mr. Middleton stated that he is generally in favor of the application, but he asked the Board to pay attention to the changes that were agreed to.

The public portion was closed. Chairman Cunningham announced this application will be carried to the meeting of 4/23/24 with no further notice.

**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

Chairman Cunningham announced Application No. 2024-04 will be carried to the meeting of 4/9/24 with no further notice.

**Ordinance Review:**

**ORDINANCE NO. 04-2024**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 130, "LAND USE", AND TO ESTABLISH "SALT STORAGE REGULATIONS"

**ORDINANCE NO. 05-2024**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF SEA BRIGHT, CHAPTER 130, "LAND USE", AND TO ESTABLISH "TREE PRESERVATION AND REPLACEMENT REGULATIONS"

Councilman Leckstein recommended taking these ordinances together. He explained that these two ordinances are required by the DEP.

Boardmember Frank Lawrence recommended the tree ordinance be revised to include a list of salt resistant trees which would grow in Sea Bright.

Councilman Leckstein offered a motion to approve sending a letter to Council stating that the ordinances are consistent with the Master Plan, and the tree ordinance should be revised to include suggested salt-resistant trees. The motion was seconded by Chairman Cunningham and carried upon the following roll call:

Aye: Cashmore, Cunningham, DeGiulio, DeSio, Lawrence, Leckstein  
Nay: none

**GENERAL PUBLIC COMMENTS**

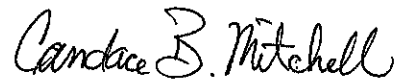
There were no general Public comments, and the public portion of the meeting was closed.

With no further business to come before the Board, the next meeting date of 4/9/24 was announced.

**ADJOURNMENT**

The meeting was adjourned at 8:30 p.m. on a motion offered by Councilman Leckstein, a second offered by Ms. DeGiulio, and a unanimous voice vote by the Board members.

Respectfully submitted,

A handwritten signature in cursive script that reads "Candace B. Mitchell".

Candace B. Mitchell  
Board Secretary