

**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:

Memorialization:

Moved by: Mr. Leckstein

Seconded by: Mr. Lawrence

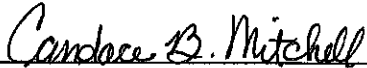
ROLL CALL VOTE

Those in Favor: Mr. Lawrence, Mr. Leckstein

Those Opposed:

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
SECRETARY OF THE BOARD