

**RESOLUTION OF THE SEA BRIGHT PLANNING BOARD/ZONING BOARD
GRANTING MINOR SUBDIVISION APPROVAL
Charles Rooney III and Marisol Rooney
Block 33, lot 2.01**

WHEREAS, the Applicants Charles and Marisol Rooney (“Applicants”), are the owner of certain real property designated as Block 33, Lot 2.01 on the Borough of Sea Bright Tax Map; and

WHEREAS, the Applicant proposes that Block 33, lot 2.01 is to be divided into two fully conforming residential lots as shown on the Minor Subdivision map prepared by Land Control Services, LLC, James B. Goddard, PLS dated 2-26-19; and

WHEREAS, the Block 23, lot 128 located on the east side of Ocean Avenue is not a part of the subdivision application and ownership thereof shall remain with the mother lot; and

WHEREAS, Although no notice is required for a fully conforming minor subdivision, Applicant has provided due notice to the public and all surrounding property owners as required by law, has caused notice to be published in the official newspaper in accordance with N.J.S.A. 40:55D-1 et seq. and, therefore, this Board has accepted jurisdiction of the application and has conducted public hearing on the matter at its meeting on March 12, 2019, at which time all persons having an interest in said application were given an opportunity to be heard; and

WHEREAS, the Applicant marked into evidence certain documents including the following:

A-1 Jurisdictional Packet

A-2 Minor Subdivision Plan prepared for "Rooney" by Land Control Services, LLC, James B. Goddard, PLS dated 2-26-19

A-3 Tax certification

WHEREAS, the Planning Board/Zoning Board of the Borough of Sea Bright held a hearing on March 12, 2019, at which time it made the following findings:

1. The plan proposes subdividing Block 33, lot 2.01 into two fully conforming residential lots in the R-2 zone as shown on the Minor Subdivision Plan prepared for "Rooney" by Land Control Services, LLC, James B. Goddard, PLS dated 2-26-19.

2. The plan shows the subdivision line dissecting an existing secondary residence on the site. The Applicant **STIPULATED** and the Board made it a **CONDITION** of approval that the existing one-story building be removed prior to the perfection of the subdivision. No subdivision plan or deed will be executed by the Board until the removal of the existing secondary building which straddles the proposed subdivision line.

3. It is **STIPULATED** that all construction on the subdivided lots will comply with all zoning, setback, construction, design standards and parking requirements of the Borough of Sea Bright or the Applicant will apply for the requested relief.

NOW, THEREFORE, BE IT RESOLVED by the Sea Bright Planning Board/Zoning Board of the Borough of Sea Bright, County of Monmouth, State of New Jersey, as follows:

The Minor Subdivision of Block 32, Lot 2.01 to create two fully conforming lots as set forth above and on the subdivision map referred to above and marked as Exhibit A-2 and incorporated herein, be and is hereby approved by the Borough of Sea Bright Planning/Zoning Board, subject to the noted conditions:

GENERAL CONDITIONS

1. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.

2. The applicant must obtain the approval of all necessary and appropriate governmental agencies and compliance with all governmental regulations, including but not limited to CAFRA, except those specifically waived or modified in this Resolution prior to constructing any homes on the property.

3. The applicant shall comply with all building, FEMA and fire codes including but not limited to, entrances and exits for any homes constructed on the newly created lots.

4. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference and specifically relied by the Board in granting this approval. This condition shall be a continuing

condition, which shall be deemed satisfied unless and until the Board determines (on Notice to the applicant) that a breach thereof.

5. All stipulations agreed to on the record, by the applicant.

6. In the event that any documents require execution in connection with the within approval, such documents shall not be released until all of the conditions of the approval have been satisfied unless otherwise expressly noted.

7. The Applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality's professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.

8. The Applicant shall furnish such Performance Guarantees and/or Maintenance Guarantee as may be required pursuant to the MLUL and the Sea Bright Ordinances.

9. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

10. No mechanicals will be located within any setback.

11. Applicant shall perfect the minor subdivision within the time prescribed by law.

SPECIFIC CONDITIONS

1. All construction will comply with all zoning, setback, construction, design standards and parking requirements of the Borough of Sea Bright. The

applicant shall comply with all Borough Ordinances relative to construction of any improvements on the lots.

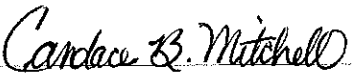
2. The existing one-story building shall be removed prior to the perfection of the subdivision. No subdivision plan or deed will be executed by the Board until the removal of the existing secondary building which straddles the proposed subdivision line.

BE IT FURTHER RESOLVED that this Resolution memorializes the action taken by the Planning/Zoning Board at its meeting of March 12, 2019; and

BE IT FURTHER RESOLVED that the Chairman and Board Secretary are hereby authorized to sign any and all documents necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a certified copy of this Resolution to be sent to the Applicant, the Borough Clerk, the engineer and the zoning officer and to make same available to all other interested parties and to cause notice of this Resolution to be published in the official newspaper at the Applicant's expense.

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on May 14, 2019.


Candace B. Mitchell, Secretary
Sea Bright Planning/Zoning Board

Adopted on a roll call on a motion by Boardmember Leckstein
and Seconded by Boardmember DeGiulio

Vote:

Cashmore - Yes

DeSio - Yes

Long - Absent

McGinley - Absent

Cunningham - Abstain

Duffy - Absent

Nott - Absent

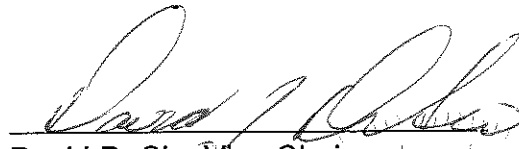
Bills - Yes

DeGiulio - Yes

Leckstein - Yes

Smith - Yes

Wray - Yes



David DeSio, Vice Chairman
Sea Bright Planning/Zoning Board

