Regular Meeting Minutes - Tuesday, **May 23, 2017 • 7:00 PM**
Borough of Seaside Park – Planning Board

A regular Meeting of the Seaside Park Planning Board was held on Tuesday the 23rd day of May 2017 at 7:00 pm in the Council Chambers with Michael Giuliano presiding

PRESENT:

Michael Giuliano, **Chair**
Martin Wilk, **Vice-Chair**
Anthony DiCaro
Frank Losey
Thomas Mianulli
John Moyse
Robert Matthies, **Mayor**
Francis Larkin, **Police Chief**
Dominick Bucci, **Alternate #1**
, **Alternate #2**

ALSO PRESENT:

Gregory Hock Esq., **Board Attorney**
Douglas Rohmeyer, **PE, CME, CFM Board Engineer**
Susan Connor, **Board Secretary**

EXCUSED:

Ray Amabile, **Councilman**

Chairman Giuliano called the meeting to order and requested that all rise and salute the Flag. The roll was called and as a result Councilman Amabile was found to be excused.

Chairman Giuliano read the "Statement of Compliance with the New Jersey Open Public Meetings Act."

4. **Resolutions Memorializing Board Decisions**.

PB/17-05 Bloomfield, Lina ..... **301 N Street (Block 63, Lot 10)**
• Filed: 02/27/2017• Certified Complete: 3/3/2017 • Hearing held: 4/25/2017.
Eligible to Vote to Approve: (DiCaro, Losey, Mianulli, Moyse, Wilk, Bucci, Giuliano)

The Board Attorney, Mr. Hock summarized the resolution into the record indicating the applicant is seeking to elevate and improve a structure necessitating a special reasons and bulk variances. The special reasons variance is to permit a maximum height in excess of 10% beyond what is permitted by the development regulations. The application was granted with a number of conditions.

Motion to approve the resolution was made by Mr. Moyse, seconded by Mr. Losey.

Roll Call Vote:

For: Moyse, Losey, DiCaro, Mianulli, Wilk, Bucci, Giuliano
Against: None
Abstain: None
Not Voting: Matthies, Larkin
Absent: Amabile

PB/17-08 Herschenfeld, Brett & Mezejy, Kristi..... **15 South Ocean Avenue (Block 35, Lot 25.01, 26)**
• Filed: 3/27/2017 • Certified Complete: 4/1/2017 • Hearing held: 4/25/2017
Voting to Approve: (DiCaro, Losey, Mianulli, Moyse, Matthies, Amabile, Wilk, Giuliano)

The Board Attorney, Mr. Hock summarized the resolution into the record indicated the applicants are seeking a variance to construct a pergola and ground level deck necessitating bulk variances. The application was granted with a number of conditions.

Motion to approve the resolution was made by Mr. Moyse, seconded by Vice-Chair Wilk.

Roll Call Vote:

For: Moyse, Wilk, DiCaro, Losey, Mianulli, Matthies, Giuliano
Against: None
Abstain: None
Not Voting: Bucci, Larkin
Absent: Amabile

PB/17-09 Bukata, Robert & Jill..... **1200 South Bayview Avenue (Block 2, Lot 4)**
• Filed: 3/27/2017 • Certified Complete: 4/1/2017 • Hearing held: 4/25/2017
Voting to Approve: (DiCaro, Losey, Mianulli, Moyse, Wilk, Bucci, Giuliano)

The Board Attorney, Mr. Hock summarized the resolution into the record indicated that the applicants is seeking to construct an outdoor shower, front stairs, front deck, elevator and a second curb cut, necessitating a special reasons and bulk variances. During the hearing the applicant amended the application to withdraw the request for the new front steps and elevator lift. The application was approved with a number of conditions.

Motion to approve the resolution was made by Mr. Moyse, seconded by Mr. Mianulli.

Roll Call Vote:

For: Moyse, Mianulli, DiCaro, Losey, Wilk, Bucci, Giuliano
Against: None
Abstain: None
Not Voting: Matthies, Larkin
Absent: Amabile

Approval of Minutes.

· **March 28, 2017** – Chairman Giuliano announced that the minutes of March 28, 2017 would be carried.

· **April 25, 2017** – Chairman Giuliano requested a motion to approve the minutes of the April 25, 2017 regular meeting. Motion to approve the minutes were made by Mr. Moyse, seconded by Mr. Losey.

Roll Call Vote:

For: Moyse, Losey, DiCaro, Mianulli, Wilk, Matthies, Larkin, Bucci Giuliano
Against: None
Abstain: None
Not Voting: None
Absent: Amabile

7. Approval of Bills

Chairman Giuliano requested a motion to approve the invoices submitted by Gregory Hock, Esq.

Hock – #17-05 Bloomfield: 5-23-2017 –- $301.00

Hock – #17-09 Bukata: 5-23-2017 –$385.00

Motion to approve the invoices submitted for Mr. Hock was made by Mr. Wilk, seconded by Mr. DiCaro and unanimously carried by the membership present.

Roll Call Vote:

For: Wilk, DiCaro, Losey, Mianulli, Moyse, Matthies, Larkin, Bucci, Giuliano
Against: None
Abstain: None
Not Voting: None
Absent: Amabile

Chairman Giuliano requested a motion to approve the invoices submitted by CME.

CME – Invoice #0205214 Bukata: 4-17-2017 - $1,193.50

CME – Invoice #0205215 Waddleton: 4-17-2017 –$286.00

CME – Invoice #0205216 Herschenfeld: 4-17-2017 - $1,299.00

CME – Invoice #0205217 Amoruso: 4-17-2017 –$71.50

CME – Invoice #0205218 Bloomfield: 4-17-2017 - $143.00

CME – Invoice #0205219 Padula: 4-17-2017 –$102.00

CME – Invoice #0205220 Carino: 4-17-2017 - $887.50

CME – Invoice #0206472 Bukata: 5-15-2017 - $210.00

CME – Invoice #0206473 Herschenfeld: 5-15-2017 - $140.00

CME – Invoice #0206474 Bloomfield: 5-15-2017 - $210.00

CME – Invoice #0206475 Majors: 5-15-2017 - $655.50

Motion to approve the invoices submitted for Mr. Rohmeyer was made by Mr. Moyse, seconded by Mr. Mianulli and unanimously carried by the membership present.

Roll Call Vote:

For: Moyse, Mianulli, DiCaro, Losey, Wilk, Matthies, Larkin, Bucci, Giuliano
Against: None
Abstain: None
Not Voting: None
Absent: Amabile

Chairman Giuliano requested a motion to approve the invoice submitted by the Board Secretary, Susan Connor.

Susan Connor – Invoice #05-23-2017 –- $225.00

Motion to approve the invoice submitted by Ms. Connor was made by Vice-Chair Wilk, seconded by Mr. Losey and unanimously carried by the membership present.

Roll Call Vote:

For: Wilk, Losey, DiCaro, Mianulli, Moyse, Matthies, Larkin, Bucci, Giuliano
Against: None
Abstain: None
Not Voting: None
Absent: Amabile

8. Board Attorney Gregory Hock sworn in Board Professional - Doug Rohmeyer

Chairman Giuliano read the statement of responsibility of the Board into the record.

9. Pending Applications.

PB/17-06 Carino Partnership c/o Marilyn Vadon .....64 Lafayette Avenue (Block 84, Lot 14-15-16)
• Filed: 3/13/2017 • Certified Complete: 2017 • Hearing scheduled: 4/25/2017.

• Carried from the May 23rd, 2017 Meeting

Terry Brady, Attorney representing the applicant came forward to address the Board indicating this application is for the reconstruction of a sandy damaged house which has been a pre-existing four family dwelling since the 1940's. The applicants idea is to make the home more attractive and bring it into more conformity with the other homes in the area by reducing it down from a four unit to a two units. The rear yard setback will also be cured and there are a number of existing nonconformities that will be brought into conformance. Instead of seasonal units the applicant is looking for two nice units that will be permeant residences.

The Board Secretary Ms. Connor marked the exhibits **A-1** through **A-15** into the record

Bruce Jacobs, PE, PP with Gravatt Consultanting came forward and was sworn under oath by the Board Attorney. The Board accepted his qualifications. Mr. Jacobs stated the applicant is looking for an additional curb cut in order to provide for two off street parking spots under the dwelling. He explained that the house could possibly be pushed back an additional 3 FT towards the rear in order to fit an additional car if the Board feels fit. The applicant is proposing to take down the existing house and reconstruct a new dwelling with a rear deck, a front staircase under the house, basically the entire house will meet all the required setbacks. They are proposing a 3 FT overhang extending into the front, but are willing to revise the plans to a 2 FT over hang in order to meet the setback. The AC units will be lowered to 10 FT in order to alleviate the variance. The applicant is reducing the number of units from four to two and raising the house to meet all the FEMA requirements. The new house will provide for air, light and open space and with the number of units being reduce the applicant is reducing the density on the site. Mr. Jacobs stated that the property is currently surrounded by multi-family uses and this reduction would not be out of place in this neighborhood. The new home will be esthetically pleasing to the area. There is no increase to the impervious coverage allowed in the zone and the applicant will be improving the off street parking situation by providing four off street parking spaces on the site.

Marilyn Vadon, came forward and was sworn under oath by the Board Attorney indicating she is a general partner and is authorized to testify. Two photo boards were submitted and marked into evidence and described by Ms. Vadon into the record. It was testified to that out of the 11 surrounding properties, 7 were multifamily and 4 are single family dwellings. She indicated that prior to Sandy the property was rented to special response tenants, once the new home is constructed she would like to have a year round families living on premise. Ms. Vadon stated that currently there are four separate gas meters and one electric bill.

Public Comment:

The meeting was open to public comment.

Marie Risko 58 Lafayette came forward and was sworn under oath by the Board Attorney. Ms. Risko stated she doesn't understand why when she built she was made to change her deed 10 years ago. Chairman Giuliano explained to Ms. Risko that is the reason the applicant is in front of this Board seeking relief for a use variance.

Sue Masoori, 81 Lafayette came forward and was sworn under oath by the Board Attorney. Ms. Masoori stated the property if approved by the Board should have to make it a one family unit.

John C. Brown, 57 Lafayette came forward and was sworn under oath by the Board Attorney. Mr. Brown stated his concern is with the density of the area and feels something has to be done.

There being no public comment this portion of the meeting was closed on a motion made by DiCaro, seconded by Mr. Wilk a and unanimously carried by the membership present.

Board Comments:

Mr. Losey pointed out that any number of units can attract poor tenants. Chairman Giuliano stated he understands what Mr. Losey is saying and pointed out that the applicant is reducing the density by reducing the number of units. Mr. Moyse stated he has no problem with the two family and feels the application is a major improvement to the area. Mr. DiCaro stated he would like to see the house shorten by three foot in order to provide for the additional parking. The applicant agreed to reduce the overhang, provide a12 Ft curb cut, shorten the house and lower the AC units.

Motion & Vote:

Motion to approve the application as amended was made by Mr. Moyse, seconded by Chairman Giuliano.

Roll Call Vote:

For:	Moyse, Giuliano, DiCaro, Mianulli, Larkin, Wilk, Giuliano
Against:	Losey
Abstain:	None
Not Voting:	Bucci, Matthies
Absent:	Amabile

The Board took a short recess @ 8:09 and returned @ 8:13pm

PB/17-10 Major Boardwalk Trust/Funtown Pier Amusements… .....Boardwalk (Block 97, Lot 20.03)
• Filed: 4/13/2017 • Certified Complete: 5/4/2017 • Hearing scheduled: 5/23/2017.

Stephen Leone, Esq. Attorney representing the applicant came forward to address the Board indicating this application is for a preliminary and final major site plan to operate a beach club on the former Funtown pier site. The applicant will be constructing three ticket booths and using a existing storage structure.

Doug Klee, PE Engineer and **William Major Jr** both came forward and were sworn under oath by the Board Attorney. Mr. Majors stated he would like permission to operate a private beach club; where he would charging a daily admission of $8 dollars or $55 dollars for the year. This area will have fenced borders and will have a lifeguard on duty. You will be able to bring chairs, food and beverages onto the beach. There will be trash cans for the garbage. He will employee 6 to 8 people and approximately 14 on all shifts. The operation will start from summer and run till Memorial Day. The temporary shed will be for the storage of umbrellas and chairs. Patrons will use the public restrooms.

Douglas Klee, Engineer & Planner came forward to address the Board. The Board accepted his qualifications. Mr. Klee stated he is very familiar with the site and described the current zoning and that a beach club is a permitted use. If the Board recalls this was the site of the previously approved dune buggy site. Mr. Klee stated the applicant will be using the existing shed that was used for the dune buggy business that is 14x20 for the storage of chairs and umbrellas. There will be ticket booths that will be 5x5 and they will conform to the required setbacks. No lighting will be installed, no sale of liquor but you will be able to bring your own alcohol onto the beach along with food and coolers will be permitted. The Mayor stated his concern will be with underage drinking. Mr. Majors stated he doesn't see that being a problem but if it does, it will be addressed. He will meet the ordinance with the hours of operation. There are no planned activities. They do plan on having a volleyball net set up on the beach. Mr. Majors stated the hours of operations will be all day (9am till at least 5pm including holidays)

There were questions regarding bathroom facilities. It was stated that patrons will use the public facilities.

Public Comment: The meeting was open to public comment.

Jason Mandia came forward and was sworn under oath by the Board Attorney. Mr. Mandia questioned if the Board is approving a beach club facility whether or not a bathroom facility would be required. He felt bathroom facilities should be required because he owns a private business and doesn't want to support this business with bathroom use.

Nancy Koury came forward and was sworn under oath by the Board Attorney. Ms. Koury addressed the Board regarding mercantile licenses within the Borough.

There being no further public comment this portion of the meeting was closed on a motion made by Mr. Wilk, seconded by Mr. Moyse and unanimously carried by the membership present.

Board Comments:

The Mayor did express his concerns with underage drinking.

Mr. Hock stated he did prepare an interim resolution to be approved this evening if the application is approved by the Board with the understanding that the applicant would need to apply for the necessary zoning permits and would be working at their own risk. The applicant stated they understood.

Motion & Vote:

Motion to approve the application along with the interim resolution was made by Mr. Moyse, seconded by Mr. Losey and unanimously carried by the membership present.

Roll Call Vote:

For:	Moyse, Losey, DiCaro, Mianulli, Matthies, Larkin, Wilk, Bucci, Giuliano
Against:	None
Abstain:	None
Not Voting:	None
Absent:	Amabile

9. **Review of Correspondence:**

For informational purposes only: Public Hearing: Revision to the Neighborhood Plan for South Seaside Park as an addendum to the Berkeley Township Master Plan.

10. **Unfinished Business.**

11. **New Business**

14. **Adjournment** – With no further business to be acted upon this evening, the meeting was adjourned at 9:25pm by the membership present.

Approved: 6-27-2017

Planning Board Chairman

Planning Board Secretary