

**MEMORIALIZING RESOLUTION OF THE
BOROUGH OF SEASIDE PARK PLANNING BOARD
AMENDING THE BOROUGH OF SEASIDE PARK MASTER PLAN**

WHEREAS, N.J.S.A. 40:55D-28 authorizes a planning board to prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within a municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, N.J.S.A. 40:55D-89 requires that each municipality at least every 10 years provide for a general reexamination of its master plan and development regulations by the Planning Board, which shall prepare and adopt by resolution a report on the findings of such examination; and

WHEREAS, in 2008 the Seaside Park Planning Board adopted a document entitled the "2008 Seaside Park Borough Master Plan", prepared by T&M Associates; and

WHEREAS, in 2016 the Seaside Park Planning Board adopted a document entitled the "Seaside Park Borough 2016 Master Plan Reexamination report", prepared by CME Associates in response to Superstorm Sandy in 2012 and the subsequent flood plain requirements, as well as a major fire in the Boardwalk Zone; and

WHEREAS, in 2021, the Seaside Park Planning Board adopted a document entitled the "Master Plan Reexamination Report" prepared by T&M Associates to address recent amendments to the Municipal Land Use Law concerning electric vehicles (EVs) and to further recommend revisions to the Borough's Zone Districts; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) through its Coastal Zone Manage Rules and in support the Public Trust Doctrine as delineated by Federal and State Court decisions in New Jersey, has encouraged municipalities to formalize access to tidal waters and shorelines in their communities by adoption of a Municipal Pubic Access Plan (MPAP); and

WHEREAS, the NJDEP has encouraged the Borough to adopt the MPAP as an amendment to the Borough's Master Plan, which optional element was established by P.L. 2019, Ch. 81 Sec. 7 (N.J.S.A 40:55D-28 (17)); and

WHEREAS, the Seaside Park Governing Body and the Planning Board directed its Planners, Remington & Vernick Engineers, to conduct a study of public access points to the tidal waters abutting the Borough and prepare a report to the Board outlining same for consideration at a public meeting; and

WHEREAS, on March 22, 2022 at a regular meeting of the Seaside Park Planning Board, the Board considered the Municipal Public Access Plan dated April 20, 2021 ("Plan"), and

WHEREAS, the meeting was opened to the public and thereafter closed as there were no members of the public that desired to be heard in the matter; and

WHEREAS, the Board specifically finds that appropriate proof of publication and service of the Notice of Hearing was provided and that the Plan was available for public inspection during normal business hours in accordance with law; and

WHEREAS, the Board specifically adopts the findings, history and conclusions of the Plan as if set forth herein at length.

NOW, THEREFORE, be it resolved by the Seaside Park Planning Board, on this 22nd day of March, 2022 that the Municipal Public Access Plan dated April 4, 2021

prepared by Remington & Vernick Engineers be and hereby is adopted as an element of the Seaside Park Master Plan pursuant to N.J.S.A. 40:55D-28(17).

BE IT FURTHER RESOLVED that within 30 days hereof the Borough Clerk shall publish a Notice of Decision in the official newspaper, shall publish this resolution and the Municipal Public Access Plan on the Borough website, and shall mail copies of same via certified mail to:

1. Ocean County Planning Board.
2. Municipal Clerk of Berkeley Township
3. Municipal Clerk of Seaside Heights.
4. New Jersey Office of Planning Advocacy
5. NJDEP

Moved by: Pitchell

Seconded by: Carlson

ROLL CALL

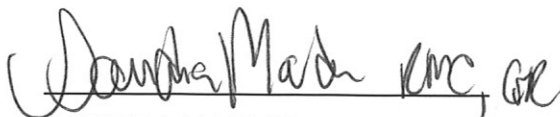
Those in Favor: Pitchell, Carlson, Losey, DiCaro, Bucci, Peterson, Boag, Wilk, Brosnan, Giuliano

Those Opposed:

Those Abstaining:

CERTIFICATION

I, SANDRA MARTIN, secretary of the Borough of Seaside Park Planning Board, hereby certify the above Resolution to be a true and correct copy of a Resolution adopted by the Borough of Seaside Park Planning Board on March 22, 2022.

A handwritten signature in dark ink, appearing to read 'Sandra Martin', followed by the initials 'KMC, GE'.

SANDRA MARTIN

Board Secretary

