MINUTES
Seaside Heights Planning Board
REORGANIZATION Meeting
Monday, January 7, 2019 6:00pm
Court Room over Fire House

Opening: 6:00 PM

Roll Call: **Present: Frank C. Gorman, Frank M. Santora, Peter Jarkesian (late), Michael Carbone, Robert Triano, Vito Ferrone, Thomas Faragalli**
Absent: Steve Sanzone, Chris Vaz, Ted Szejnrok

Swearing in of members for new terms:
Sworn in by Rob Greitz, Esq.
Frank M. Santora (Mayor's Designee), Michael Carbone (Class III Member)
Chris Vaz and Ted Szejnrok need to be sworn at the next meeting they attend.

Nominations for Chairman and Vice Chairman – Voting

- *Nomination for Frank C. Gorman as Chairman made by Michael Carbone, second by Vito Ferrone. All members present were in favor.*
- *Nomination for Steve Sanzone as Vice Chairman made by Robert Triano, second by Vito Ferrone. All members present were in favor.*

Motion to Approve Minutes: From December 3, 2018 Meeting
Motion by Vito Ferrone, Second by Robert Triano. All members present were in favor.

Discuss 2019 Meeting Dates. If dates are satisfactory, memorialize **Resolution 19-1**
Motion to memorialize Resolution 19-1 confirming the 2019 Planning Board meeting dates made by Michael Carbone, Second by Vito Ferrone. All present were in favor.

Resolution 19-2 Appointing Citta, Holzapfel & Zabarsky Law Firm as Seaside Heights Planning Board Attorneys.
A motion to memorialize Resolution 19-2 appointing the Law Firm of Citta, Holzapfel, and Zabarsky (Rob Greitz) as attorneys to the Seaside Heights Planning Board was made by Vito Ferrone, second by Robert Triano. All members present were in favor.

Resolution 19-3 Appointing Owen, Little, and Associates, Inc. as Seaside Heights Planning Board Engineer.
A motion to memorialize Resolution 19-3 appointing Owen, Little and Associates, Inc (Doug Klee as engineer to the Seaside Heights Planning Board was made by Michael Carbone, second by Vito Ferrone. All members present were in favor.

Resolution 19-4 Appointing Sherri R. Sieling as Planning Board Secretary.
A motion to memorialize Resolution 19-4 appointing Sherri R. Sieling as Planning Board Secretary was made by Michael Carbone, second by Robert Triano. All members present were in favor.

FORMAL PORTION:

Block 73 Lot 4 – 234 Sampson Ave. - J. Doulas Petrozzini- Zone-Low Density Residential
The applicant is requesting to build a 4-family, 3 story residence with grade parking to replace the same which was destroyed in Superstorm Sandy. This property is currently a vacant lot. Since there was a Planning Board approval to rebuild this property in 2014, applicant is asking for a one year extension of the prior Planning Board approval.
PUBLIC HEARING
Rob Greitz questioned if any of the members had a conflict with this application. There were none. At the time, there were only 4 Planning Board members present who were able to vote because the application contained a use variance. A telephone call was made to Peter Jarkesian who came to the meeting within 10 minutes of the call. In order to preserve time, the Board addressed the workshop portion of AFW 500 LLC, SPICY while waiting for Peter to arrive.
The hearing continued for Petrozzini. Rob Greitz explained to Petrozzini that he would need 5 unanimous votes and there are only 5 Planning Board members who can vote on this application. Petrozzini decided to proceed.

The applicant, Doug Petrozzini was sworn in. He explained that in 2014 he received Planning Board approval to build a 4 family house to replace the one damaged in Superstorm Sandy (Resolution # 14-13), which also had 4 units since 1987. Because time had lapsed since the approval and he was unable to build with in the time frame of the approval, he is back asking for essentially the same exact plan.

Doug Klee agreed with this assessment and stated that there may possibly be a height issue. The applicant stated, no matter what, the building will comply.

Tom Faragalli asked if the building was a modular back in 2014. Petrozzini stated that it was a modular and will be a modular now.

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Rob Greitz reminded the Board that this is a BRAND NEW application and should not be swayed by the previous decisions of the Board in 2014.

Kenny Roberts, Zoning and Code Enforcement Officer was sworn in to discuss the height situation. He stated that if there becomes a height issue, the roof can be changed to a flat roof by removing the peak and to make a railing around it. Roberts stated that without an elevation certificate, you cannot determine if the height of the building is over code or not. He also stated that there needs to be a use variance to build 4 units, but that there were definitely 4 units prior, which had to be demolished because of the storm damage.

Frank C. Gorman wanted to know where the HVAC units would be. Petrozzini stated that they will be in the back of the house on platforms.

Doug Klee mentioned his concern would be the roof and if the peaked roof doesn't comply with height requirement than it should be built as a flat roof. He also mentioned parking. Petrozzini said there will be 4 garages, which can each hold 2 cars.

Greitz asked Petrozzini who are the owners of the property and the proposed building. Doug Petrozzini answered that he and his brother, Jeff are owners. Greitz stated that there will be no expansion of use. Petrozzini agreed that it will be solely for personal, family useage.

There were no questions from the public.

200' Radius:
Perry Albie, 235 Hiering Ave. was sworn in. Albie was concerned that there would be a significant increase in the square footage. Petrozzini stated that there would be a bit of an increase but it would be within code specifications. Albie also inquired about the height of the building. Doug Klee stated that Petrozzini has to get the BFE before they can decide on the height of the building. Albie's other concern is that the building is going to be more like condominiums and they are in a low density residential zone. Rob Greitz responded that all properties and applications stand on their own and a variance runs with the land.

Rob Greitz stated that if the Board approves this application, the height of the building CAN NOT exceed the limit. Applicant has to submit BFE certificate, grading plans and more detailed site plans. The Use Variance is for the number of units.

Peter Jarkesian made a motion to adopt a resolution for this application. Vito Ferrone seconded the motion. Yes votes by: Frank C. Gorman, Peter Jarkesian, Vito Ferrone, Robert Triano, and Tom Faragalli.

The resolution for the Petrozzini application will be memorialized at the January 30, 2019 meeting.

WORKSHOP PORTION:

Block 6.02 Lot 1.02-500 Boardwalk-AFW 500 LLC, "SPICY"-Zone: Resort Recreational
Project Title: Midway Restaurant and Bar
The applicant proposes to remove the amusement games on the south east corner of the property (Webster Ave. and Ocean Terrace) replacing them with a full service, fast-food restaurant and bar. This facility will seat 84 people. The current Coin Castle signage would be removed and additional Spicy's signage would be added over the new area.
Doug Klee stated that this application is a redistribution of existing floor area- there are no engineering issues.

Wayne Cimorelli, along with Mr. Storino, addressed the Board. Wayne Cimorelli stated that this will be the first capital improvement on the property since 1978. They are planning to design a full service, fast food restaurant and bar, with seating for approx. 84 people, by taking out the amusement games on the South East corner of Ocean Terrace and Webster Ave. They feel that if they rip out some of the amusements and put in a brand new soffit, it will change the property for the better and make it a focal point on the Webster Ave. street end as well as the boardwalk. Cimorelli stated that they plan to have the same menu as Spicy's (food by Billy Wurtzer) and possibly call it Midway Bar.

Tom Faragalli asked if they were locked into a name for the location yet. Cimorelli stated that they are not decided yet, but it won't be called Spicy's. The Coin Castle signage will be moved over so as not to be confusing and to make it look nicer.

Cimorelli said they will be putting in glass garage doors so the area can be opened up when the weather is nice or closed when inclement, but will give a clear view.

Rob Greitz pointed out that on their application where it asks if they are asking for a variance, they checked of " yes" but there are no details.

Doug Klee mentioned that they may need a set back variance for the tables and chairs as well as for the overhang of the roof, should they choose to make it larger/extend it.

All Board Members felt the project looked worthwhile and that it would add to the aesthetics of the community.

Public hearing for this application will be scheduled for January 30, 2019.

The minutes of this meeting are not verbatim. There is a recording available at the Borough Hall of Seaside Heights.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

MINUTES
Meeting Agenda
Wednesday, January 30, 2019
6:00pm
Court Room over Fire House

Opening: 6:35 PM BY CHAIRPERSON, FRANK C. GORMAN

Roll Call: PRESENT: FRANK C. GORMAN, STEVE SANZONE, CHRIS VAZ, ROBERT TRIANO, VITO FERRONE
ABSENT: FRANK M. SANTORA, PETER JARKEZIAN, MICHAEL CARBONE, TED SZEJNROK, THOMAS FARAGALLI

Motion to Approve Minutes: From January 7, 2019
A motion to approve minutes was made by Vito Ferrone, second by Robert Triano. All were in favor except Chris Vaz did not vote since he was not at the meeting on January 7, 2019.

Block 73 Lot 4 – 234 Sampson Ave. - J. Doulas Petrozzini- Zone-Low Density Residential
The applicant is requesting to build a 4-family, 3 story residence with grade parking to replace the same which was destroyed in Superstorm Sandy. This property is currently a vacant lot. Since there was a Planning Board approval to rebuild this property in 2014, applicant is asking for a one year extension of the prior Planning Board approval.
MEMORIALIZE RESOLUTION # 2019-05
Motion made by Vito Ferrone to approve the above resolution, second by Robert Triano.
Yes votes: Vito Ferrone, Robert Triano, and Frank C. Gorman. These were the only members in attendance at the public hearing.

Block 6.02 Lot 1.02-500 Boardwalk-AFW 500 LLC, "SPICY"-Zone: Resort Recreational
Project Title: Midway Restaurant and Bar
The applicant proposes to remove the amusement games on the south east corner of the property (Webster Ave. and Ocean Terrace) replacing them with a full service, fast-food restaurant and bar. This facility will seat 84 people. The current Coin Castle signage would be removed and additional Spicy's signage would be added over the new area.
PUBLIC HEARING

Jason Mandia, Esq. appeared on behalf of the applicants. The property is located on the boardwalk operating as Spicy's and Coin Castle, restaurant, bar, and amusements. It is in the Resort Recreational Zone. The applicants are planning on the same use of the property, but are reallocating space to add an additional restaurant and bar. Coin Castle will remain, but they will utilize some of the space from the arcade area. They will put new signage up on the building. Mandia explained that there are pre-existing non-conformities on the property such as the rear yard set-back. They will be asking for bulk variances in the front yard and the roof overhang. They are also asking to continue the waiver of no "off street parking" as there is no official parking for this property due to its location.

Gary M. Lepore, NJ Licensed Architect of over 18 years was sworn in. He testified to his qualifications and was approved by the Board. He explained that this is a minor site plan with bulk variances and that they are actually asking for an expansion of those existing variances on this property. The entire development application and all attachments was marked A-1 for identification.

On the southern corner of the building they would like to construct a 35 foot food and liquor bar, outside with a covered deck area. 55 feet of Webster Ave. side will be bar area and the rest will remain Coin Castle. They plan to replace the current overhang outside of Coin Castle, continuing the size, just upgrading the appearance. They plan to use a "mansard" style sign for Coin Castle. The applicants would like to add new storm shutters and glass garage doors on the Webster Ave. side. A metal awning will cover the area 9 ½ feet from the building line to the boardwalk with posts to hold the canopy down so that it does not act as a wing. The tables and chairs for patrons will be on the property of the building, not on the boardwalk. Upon closing time, the applicants plan to move the tables and chairs inside the building. Trash will be stored in an already existing trash room in the basement where it will be sorted and brought out for disposal at night.

With regard to lighting, Lepore explained that they will use LED lights in the ribs of the awning. The current letters in their signs are 44' high. They plan to change them to back-lit, metal letters, decreased in size to 36' high.

Questions by the Board:
Vito Ferrone asked what type of garage doors they would be installing. The architect answered that they plan to use hurricane grade glass doors.
Chris Vaz wanted to know how the wait staff would get in and get the food. Applicants answered that there are stairs to the basement that brings them underneath with a direct line to the food area and back the same way. Vaz also asked how many seats will there be. There will be a total of 84 seats.

Doug Klee, Board engineer asked about the restrooms and kitchen. The applicants answered that they will continue to use the existing kitchen area and current restrooms.

There were no questions from the 200' radius and no questions from the audience.

A motion was made by Vito Ferrone to adopt a resolution to approve the minor site plan and bulk variances. Steve Sanzone seconded the motion. Yes votes by: Vito Ferrone, Steve Sanzone, Frank C. Gorman, Chris Vaz, and Robert Triano.

Chris Vaz was sworn in at the beginning of the meeting as Class II Member of the Seaside Heights Planning Board.

A motion was made to adjourn the meeting by Robert Triano, second by Vito Ferrone. All were in favor.

Meeting adjourned at 6:52pm.

These minutes are not verbatim but highlight important elements that were discussed. A recording of this meeting are available in the Borough of Seaside Heights, maintained by the Board Secretary.

Submitted by:

Sherri R. Sieling
Board Secretary

MINUTES
Seaside Heights Planning Board
WORKSHOP
Monday, February 4, 2019
6:00pm
Court Room over Fire House

Opening: *Meeting opened at 6:00 pm by Chairperson Frank C. Gorman*

Roll Call: *Present: Frank C. Gorman, Chris Vaz, Frank M. Santora, Robert Triano, Vito Ferrone*
Absent: Steve Sanzone, Peter Jarkezian, Michael Carbone, Ted Szejnrok, Thomas Faragalli

Block 12 Lot 1 - 315 Boulevard - Robert J. Bennett - Zone: Retail Business – Minor Site Plan
Applicant recently constructed an ice cream parlor on this property and as instructed by the Board and per Resolution 2017-09 is coming for approval to add an arcade and party room to this property. The applicant is not requesting any additional variances to this property. The changes are internal to the existing structure.

Harvey York, Esq. appeared on behalf of the applicant. He explained that the applicant appeared before the Board previously to construct a miniature golf course and an ice cream parlor. The applicant is looking for approval to add an addition on to the south side of the building where the drive-thru window of the previous bank was located. The addition would be for a multi-purpose party room/game room. Mr. York stated that there was not enough parking on the premises the last time they appeared before the board and that remains the same. The building is 1700 sq. feet of space. Mr. Bennett wants to utilize it to bring families in. They feel the barrier island is becoming more family oriented and would like to add to that theme.

Doug Klee, Board Engineer stated that he has concern about the 9 foot drive aisle creating a safety issue. He feels that the applicant either needs to take it out or eliminate any car travel in that area for safety. Klee suggested possibly making it an outside seating area instead of an area where cars may go. In addition, Klee stated that adding this addition creates the need for 4 more parking spaces. The location has no room at all for parking requirements. Klee wants the spaces to be delineated if they come up with an area for cars to park. Klee asked for a copy of elevations. Mr. York gave Doug his copy.

Frank C. Gorman wanted to know if there would be any security lighting. Mr. York stated that there will be lighting that lights the whole area with the addition and the overhang.

Chris Vaz requested that Doug Klee spell out exactly how much parking is necessary for this project to be in compliance with zoning- to explain the variance.

Doug Klee requested copies of revised plans by 2/17/19

This application will be set for Public Hearing on 2/27/2019

Meeting adjourned at approximately 6:25pm.

These minutes are not verbatim but highlight important elements that were discussed. A recording of this meeting are available in the Borough of Seaside Heights, maintained by the Board Secretary.

Submitted by:

Sherri R. Sieling
Board Secretary

MINUTES
Seaside Heights Planning Board
Wednesday, February 27, 2019
6:00pm
Court Room over Fire House

Opening: *Chairperson Frank C. Gorman opened the meeting at 6:06 pm.*

Roll Call: *Present: Frank C. Gorman, Chris Vaz, Frank Santora, Peter Jarkezian, Michael Carbone, Robert Triano, Vito Ferrone*
Absent: Steve Sanzone, Ted Szejnrok, Tom Faragalli

Approval of Minutes: January 30, 2019 & February 4, 2019 Meeting
A motion to approve Minutes from January 30, 2019 and February 4, 2019 was made by Vito Ferrone, second by Robert Triano. All were in favor.

Block 12 Lot 1 - 315 Boulevard - Robert J. Bennett - Zone: Retail Business – Minor Site Plan
Applicant recently constructed an ice cream parlor on this property. As instructed by the Board and per Resolution 2017-09, applicant is coming to the Board for site plan approval to add an arcade and party room to this property. In addition, applicant will be seeking a design waiver and a variance for parking.

PUBLIC HEARING

Frank C. Gorman stepped down as he has a conflict.

Harvey York, Esq. appeared on behalf of the applicant. Application was approved on a prior occasion for the business that currently exists on this property. He stated that there will be minimal changes to the property. The applicant is going to take the area where the canopy for the drive-thru is and will close it in to create a room. They will be taking away the drive-thru and adding 5 parking spots. Where there was no parking whatsoever, there are now 5 spaces. York stated that the original plans called for 10 parking spaces and was approved without any. He asked the Board to take into consideration that they are adding spaces and that there is a parking lot directly across from the property. Their intention, York stated is to increase use and viability of the site as a family destination.

James Giordano, Engineer was sworn in.
Doug Klee pointed out that Hamilton Ave. and the Boulevard is a county road. York assumed that there was originally a parking variance granted on the first resolution but there was not. York stated that they will amend the plans to reflect that.

Rob Greitz stated that he reviewed the certified notice, which stated that the applicant requested waivers and any variances necessary to comply and approve the application. Greitz pointed out that on the certified notice and on the maps the roads are designated properly. The Board accepted Giordano's qualifications.

Giordano went on to testify there will be no change in the size of the roof overhang and it will dictate the size of the addition (360 sq. ft.) No new roof structure will be built and the walls will be built from that existing structure. York asked how many new employees will they be expecting to have on site. Giordano said 3-4 employees and the hours will be 10 am to 12 am. Everything that was discussed and approved in the prior application will stay the same with regard to the deliveries and storage. The dumpster for solid waste is being moved to the back of the building to accommodate parking. York asked Giordano if there is a parking lot across the street. He responded that there is a lot across the street. He also asked Giordano if the driveway is sufficient to service the building. Giordano said yes, but that it is just a little bit tight. York asked Giordano if he thought that adding 5 spaces to the site was an improvement. Giordano stated that it would be. He further explained that if they were to widen the driveway, it would take away from parking spaces on the street.

York asked Giordano to explain any other important elements of the request. Giordano stated that the signage will not change and there will be nothing additional. There will also be no change in the grading of the property. Giordano's opinion was that if the Board granted the variances requested, it would be of no detriment to the community.

Chris Vaz asked Giordano if they relocated the additional room to the back (west) side of the building instead of where the overhang was located, would that provide more parking spaces. Giordano said it wouldn't. Vaz also asked about the bathrooms. Giordano stated that there are plenty as-is, but they will be adding 4 more.

Doug Klee asked if the driveway on Franklin Ave and the Boulevard was eliminated, could that add another parking space. Giordano responded that Mr. Bennett wants and access driveway to drop kids off in front of the building.

Doug Klee requested a formal, written description of the business operations. Mr. York said that the operations of the business had already been approved in the last resolution, but he will submit them again. Mr. York reminded the Board not to forget that this was an abandoned, old bank and Mr. Bennett turned it into something nice.

There were no questions from the audience or 200' Radius list.

Board member Frank Santora asked how long they thought it would take to build this? They are hoping 6 months or less so they can be open mid-Summer.
All members of the Board were in favor of adopting a resolution to approve this application.
Resolution to be memorialized at the March 27, 2019 meeting.

Block 6.02 Lot 1.02-500 Boardwalk-AFW 500 LLC, "SPICY"-Zone: Resort Recreational
Project Title: Midway Restaurant and Bar
The applicant proposes to remove the amusement games on the south east corner of the property (Webster Ave. and Ocean Terrace) replacing them with a full service, fast-food restaurant and bar. This facility will seat 84 people. The current Coin Castle signage would be removed and additional Spicy's signage would be added over the new area.
MEMORIALIZE RESOLUTION 2019-06
A motion to memorialize the above resolution approving improvements was made by Vito Ferrone and seconded by Robert Triano.
All were in favor: Vito Ferrone, Robert Triano, Chris Vaz, Frank C. Gorman

Block 69 Lots 1, 1.01, & 1.02- Dupont Ave. Pier-Seaside Ocean Terrace LLC-Zone Resort Rec.
Minor Site Plan
ADMINISTRATIVE APPROVAL
This applicant received approval to construct this project in March 2018 in two phases, with directions to go back to the Planning Board with any additional construction and or if there is any deviation from the approved design plans.
Applicant is proposing to build (6) 30' x 18.5ft. boardwalk kiosks on the boardwalk, a restaurant, an in-ground pool, a 7500 sq. ft. Beach Bar, 10' x 12' cabanas, (2) 40' x 25" Club buildings, and a banquet space/facility ocean side on existing boardwalk. This is a conforming use of the property and will not be asking for variances.
Refer to letter by Mark Schneider dated February 17, 2018 (not sure if that was a typo or the actual date the letter was written). The applicant will be requesting administrative approval to utilize the type of awning that has already been constructed on the 6 kiosks, which are different than those which were approved from the plans and designs submitted to the Board in March of 2018.
The applicant requested administrative approval to utilize the type of awning that has already been constructed on the 5 kiosks, (the applicants constructed 5 instead of 6 for access to the pool area, when built) which are different than those that were approved from the plans and designs submitted to the Board in March of 2018. The attorney, Mark Schneider explained that the original design of the awnings looked aesthetically pleasing, but were not practical. The awnings were essentially slats with openings. The object of the awnings was to keep the rain and harsh sun off of patrons and employees, but this design was not effective. The applicants

*decided to construct the awnings as a type of hip roof to accomplish the protection they were looking for. A motion to administratively approve was made by: Vito Ferrone, Second by Robert Triano. Yes votes by: Frank C. Gorman, Chris Vaz, Frank M. Santora, Peter Jarkesian, Vito Ferrone, Robert Triano. * Mike Carbone did not vote due to conflict.* ***The Board agreed with the applicant and approved the change in design.***

BL. 55 Lots 1, 2 & Part of 9 – 1515 Ocean Terrace - FIRETTO CONDOMINIUMS- Melchiorre, Joseph and Paul Firetto- Resort Recreational Zone

Applicants are proposing to construct an 8 unit, 3 story condominium building with garaged parking underneath. The ground floor would be a street level garage. The first floor will contain 3 condominium units. The second floor will contain 3 condominium units. The third floor will contain 2 condominium units. All units are on floor in height. All units are accessed by common stairways originating within the garages. Each unit shall have 2 garage parking spaces on the first level. The building shall be positioned 1 foot off the southerly property line. Storm drainage is proposed under the driveway to collect all site runoff. Lighting and landscaping are proposed around the site. The condominium building is to be serviced by municipal water and sewer services.

ADMINISTRATIVE APPROVAL

These applicants received approval in 2016 to construct these condominiums memorialized in Resolution #2016-15. They are coming before the Board for administrative approval to modify the approved design to the entrance of the building. The impetus for this modification was subsequent to a state inspection of the elevator system. The inspector reported that there needs to be a "stair egress from the second floor" in order to pass the inspection. Board members verified with the applicants' architect, Dario Pasquariello, that the stairs will be within the approved setbacks for the building and agreed that they should make the required design/construction changes to satisfy the safety requirements for the state inspection. A motion to administratively approve the changes was made by Mike Carbone, second by Peter Jarkesian. All in favor: Frank C. Gorman, Chris Vaz, Peter Jarkesian, Mike Carbone, Vito Ferrone, Robert Triano. ***The Board agreed with the applicant and approved the change in design***

DISCUSSION:

ORDINANCE NO. 2019-01: AN ORDINANCE OF THE BOROUGH OF SEASIDE HEIGHTS PROHIBITING APPROVAL OF APPLICATIONS WITHING THE BOROUGH OF SEASIDE HEIGHTS THAT REQUIRE BOROUGH GOVERNMENT APPROVAL WHICH ARE VIOLATIVE OF FEDERAL LAW AND AMENDING CHAPTER 246 SO AS TO PROHIBIT THE SALE OR DISPENSING OF MARIJUANA OR ANY CANNABIS-BASED PRODUCTS.

5.
The Mayor and Council would like a discussion of the above ordinance by the Seaside Heights Planning Board prior to the second reading and passage of said ordinance.
Rob Greitz explained that the sole purpose of the discussion is to decide if this ordinance complies with the Master Plan of the town. The ordinance will prohibit the sale or dispensing of any goods, which contain marijuana or have a cannabis base.

Vito Ferrone stated that some Board members can't understand why the wording about the Federal Law has to be included in the ordinance.

Frank Santora explained that the Attorney General can prosecute a municipality if they approve the sale of marijuana/cannabis, because there is Federal law that prohibits it. Santora went on further to question, would it be compatible with the Master Plan if you are running "illegal" businesses.

Peter Jarkesian feels that the Federal government should not be able to dictate what towns can do.

Chris Vaz said he felt that the ordinance read like "a preamble".
Board members raised a question about section 1 about parts of the plant extraction and CBD oil. The members stated that CBD is available everywhere and should be left out of the ban, the wording should say there is a ban on THC, however.

All members agreed to have Rob Greitz draft a letter to the Mayor and Council on behalf of the Seaside Heights Planning Board.

A motion to adjourn the meeting was made by Robert Triano, Second by Vito Ferrone at 6:55 pm.

Minutes of this meeting are not verbatim, but highlight that events that took place. A recording of this meeting is available at the Borough Hall in Seaside Heights.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

WORKSHOP **MINUTES**
Seaside Heights Planning Board
Monday, March 4, 2019
6:00pm
Court Room over Fire House

Opening: **6:00 PM by Chairman, Frank C. Gorman**

Roll Call: **PRESENT: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Michael Carbone, Vito Ferrone**
ABSENT: Peter Jarkezian, Ted Szejnrok, Thomas Faragalli

BL. 1 LOTS 11 & 17 – (Commonly known as 11 and 17 Dupont Ave.) 100-103 Ocean Terrace- Michael Carbone- Zone: Retail Business- Minor Site Plan
Applicant is requesting approval to build a 3 story, masonry and frame apartment building with 5 units, on a vacant 60 x 100 lot. This is a conforming use of the property. The applicant's project does not require any variances.
Applicant is a member of the Planning Board, therefore, had to be excluded from participation in the process.

Ed Angster, Architect, Engineer, Surveyor, Planner appeared on behalf of the applicant. The applicant is proposing to build a 3 story building with 5 apartments including parking for 10 cars. Angster explained the configuration of the apartments: 1 apartment on the East side of the building will be on the ground floor and be two stories high, 2 typical apartments and 2 loft apartments.

Doug Klee, Board Engineer stated that one parking space is adjacent to the property line and that it will require a variance. Ed Angster said he will be designing it so that there will be a fence that will block the car door from swinging into the sidewalk area.

Doug Klee was concerned that there may need to be a height variance. Angster stated that they would change the roof design to stay within the height requirement.

Klee asked for clarification on the lots. There are two lots not one. The undersized lot can be merged into the regularly sized lot to become one.

There were no further questions and the Board seemed to feel this was an uncomplicated project. Applicant will submit revised plans at least 10 days prior to public hearing, which will be scheduled for March 27, 2019.

2.

BL. 7.01 LOT 45 - 45-47 Blaine Ave. - 51 Blaine, LLC - Zone: Residential – Variances

Applicant is requesting approval to renovate the building on this property, which is currently a boarding house and is a non-conforming use of this property. The applicant proposes to convert the building/boarding house into five (5) summer, seasonal residential units for transient or owner occupied use. All the existing property characteristics: lot area, frontage width setbacks, etc. will remain the same. The applicant will be requesting variances for pre-existing violations on the property. Those variances requested are for the front setback, off street parking, and lot area/ per unit or density. The proposed change will bring the use of the property into conformity with zoning standards.

Atty: Matthew Heagan

Matt Heagen, Esq. presented on behalf of the applicant. The existing property will be have new siding and be "dressed up". The applicant's plan is to convert this building into 5 summer rentals that will be transient/owner occupied. The units will be as follows: 1 unit in the basement area, and 2 units each, on the 2nd and 3rd floors of the building.

Doug Klee requested site plan drawings. Heagen explained that the building will have the exact same footprint and will only revise the inside. Heagen further stated that any issues with this property, already exist. By renovating the building, Heagan said they will be turning the building from a non-conforming use to a conforming use; 24 rooms to 5 units.

Doug Klee feels there needs to be a variance because the lot/building size does not have enough space for the units or parking. The variances Doug said are necessary are for use and bulk items.

This application will be scheduled for Public Hearing on March 27, 2019

BL. 69 LOTS 1, 1.01 &1.02 – Dupont Ave. Pier – Zone: Resort Recreational – Final Site Plan Approval-PHASE 3

Applicants are requesting Final Site Plan approval for Phase 3 of their construction project. These applicants received preliminary and final site plan approval to handle their project in 3 phases: Phase 1- An 11,000 sq.ft, temporary restaurant and six (6) 565 sq. foot commercial kiosks. Phase 2-construction of a 17,000 sq. ft. permanent beach bar and banquet facility including outdoor deck and bar area as well as a 28,000 sq. ft pool club. Phase 3 – construction

3.

of a **6,700 sq. ft.** commercial building including outdoor deck area. This approval was memorialized in SSH Planning Board Resolution 2018-08 on March 28, 2018; preliminary and final site plan approval for Phase 1 and 2 and preliminary approval for Phase 3. As per the resolution, the applicants are here to address Phase 3 of the construction project for final site plan approval. They are seeking approval to build a **10,700 sq.ft.** footprint for a commercial building and a time extension of the approved Phase 1, temporary restaurant, for one season. Atty- Mark Schneider

3.

Mark Schneider, Esq. appeared for the applicants.
Board Member, Michael Carbone stepped down from the podium as he has a conflict with this application.

Mark Schneider stated that the applicants were here to workshop the final site plan so to receive approval for Phase III of their application.
Phase I- Tents and kiosks
Phase II- Pool and restaurant
Phase III- Building to be determined

Applicants are proposing to construct a building that will hold 1000 to 1200 people to be used for various venues including the sale of food, beverages, music, and possible office space. It will be a multi-functional space.

Vito Ferrone asked how Phase I and II are going. Schneider stated that he is blaming the delays of the progress on CAFRA. It took some time, but the applicants have all the approvals necessary to move on from CAFRA. Five of the kiosks are built and they were debating on only having 5, but they would like to construct the 6th kiosk. They are waiting for the closing of the property and will not be putting up any tents as originally thought. They will begin the construction of the restaurant as soon as the closing of the property is complete.

Doug Klee discussed that in the original approval for Phase III, the building was much smaller than what they are asking for today. In the original approval the building was 6100 sq. ft. and now it appears to be over 10,000 sq. ft. Mark Schneider stated that the footprint has not changed but the ingredients of building have changed. Doug Klee stated that all the new plans seem to have increased in size and is concerned about how consistent the revised plans are to the original approval.

Matt Wilder, Engineer was brought up to explain items. He said that when applying for CAFRA, they essentially ask for the dimensions of a big box and you get to fit the things you want into it. They are concerned with the overall size and dimensions. With regard to Vito Ferrone's question about the kiosks, Wilder explained that they wanted to create a corridor to the pool area, so they shifted the placing of the kiosks. They decided to go ahead and build the 6th one after seeing how it looked with the other 5 up. That kiosk will be much closer to the property line of Seaside Park. Because of that, they will be building the kiosk in Phase III and will ask for a variance for setbacks for that kiosk in the Phase III approval, since it will be the last thing built and will only be 1 foot away from the property line.

Doug Klee feels that there should be an amended application because the variances for the placing of the 6th kiosk was not part of the original application. Chris Vaz asked if Phase I and Phase II were final. Mark Schneider stated that Phase I and Phase II are final and Phase III was temporary and that is why they are here. Chris Vaz stated that the Board felt they were there for an extension of their approvals because on March 28, 2019 their approval expires.

Doug Klee told applicants that the issue of parking needs to be addressed in the plans and would like to have all-inclusive plans.

Vito Ferrone asked what their timing is for the project. Mark Schneider said they hope to close on the property in 2 weeks then they will apply for their construction permits and be able to start very soon.

Doug Klee and Rob Greitz both stated that revised plans will need to be in by March 15th the latest in order to be listed for the March 27, 2019 meeting. Klee told the applicant not to do their certified notices and publication until he gives his ok.

Frank C. Gorman asked if this application is "do or die", since March 27, 2019 is 1 day prior to the expiration of the approval.

Mark Schneider spoke to the Chairman, stating that when they come in for the final, they will ask for amended preliminary and final of Phase I and Phase II, an extension of the March 2018 resolution, a variance for the 6th kiosk, which will be closer to Seaside Park, and adjust the building dimensions since the Phase III building will be larger increasing the size by foot print and height.

Rob Greitz stated that the Board will need to hire a conflict attorney because he and Steven Zabarsky both represent the town of Seaside Park. Since Seaside Park is in the 200 foot radius and is concerned about elements of this application, our Board attorneys need to recuse themselves.

This application, if approved by Doug Klee, will be listed for Public Hearing March 27, 2019.

BL. 17.02 LOT 2 – 202-208 Bay Terrace – LaPierre, Inc. – Zone: Retail Business (RB)- Variance
Applicant is requesting a variance on this property to change the use from a seasonal boarding house to a year-round boarding house for the elderly. The applicant will not be making any changes to the property. They are proposing repairs to the front façade and to make repairs and upgrades to the interior portion of the building.
Atty- Mark Schneider

5.

Mark Schneider appeared for the applicant. They will be requesting a use variance to make this property a year-round, boarding house for senior citizens and veterans. It is currently a boarding house for seasonal rentals. According to Schneider, there will be no change in the footprint of the building or the interior lay out. The applicant will need to add heating to the building and plans on updating the exterior. The major change will be annual rentals instead of summer rentals.

Doug Klee stated that they will need a use variance since this is an expansion of a non-conforming use in that zone. Additionally there is a pre-existing non-conformity, there is limited parking on the property. Mark Schneider stated with regard to the parking, in their experience with these types of boarding homes, residents will not have or do not drive cars.

Vito Ferrone asked what other requirements are needed to house the elderly? Schneider stated that the applicants will be following all the state requirements and regulations.

There is a shared kitchen for all of the rooms/residents.

Architect explained that the main entrance has some structural issues. They plan to set the stairs back to make them egress bringing them to code. The entrance will be made handicap accessible.

Chris Vaz stated that he thought it might benefit the applicants to bring in experts regarding the parking situation. Schneider stated that this project will be based on the HUD program and they will have a van available to take the residents to take them to services they need etc. Mark Schneider clarified that the boarding house is not age restricted, but the type of clientele that normally lives in these facilities are either seniors or veterans, because of the places that refer their clients.

A neighbor of the building in the audience, Deborah Cusack, 205 Dupont Ave. attended because she received a certified letter that was sent out prematurely. Rob Greitz explained that today is merely a workshop and that no action will be taken by the Board regarding the application. She understood but wanted to ask the applicants about her concerns. She wanted to know what type of people will be in there, are they seniors, veterans? The applicant stated that it is going to be a mix of people and ages. Regarding security, who has control and will there be background checks of the people going into the facility? Schneider stated that this is a privately run facility, it is not government or anything like that. He further stated that they solicit clients from service providers either senior services or veteran's agencies. Ms. Cusack lives directly behind the property in question and also had concerns about garbage building up behind the building. Schneider stated that it is the property owner's intention to clean it up and make it nice for the residents and neighbors.

This application will be listed for public hearing on March 27, 2019.

Motion to adjourn the meeting made by Robert Triano. All were in favor. 7:15 pm

6.

Minutes of this meeting are not verbatim, but highlight that events that took place. A recording of this meeting is available at the Borough Hall in Seaside Heights.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

MINUTES
Seaside Heights Planning Board
Wednesday, March 27, 2019
6:00pm
Court Room over Fire House

Opening: *The meeting was called to order by Frank Santora in the absence of the Chairman and Vice Chairman.*

Roll Call: PRESENT: Frank M. Santora, Michael Carbone, Robert Triano, Vito Ferrone, David Witherspoon, Tom Faragalli
ABSENT: Frank C. Gorman, Steve Sanzone, Chris Vaz, Peter Jarkezian, Ted Szejnrok
Steve Zabarsky, Esq. in for Robert Greitz as Planning Board Attorney.

Swearing in of new Board member: David Witherspoon
Sworn by Steve Zabarsky, Esq.

Motion to approve minutes: February 27, 2019 & March 4, 2019
Motion made by Vito Ferrone, seconded by Robert Triano for both days. All were in favor.

BL. 1 LOTS 11 & 17 – (Commonly known as 11 and 17 Dupont Ave.) 100-103 Ocean Terrace- Michael Carbone- Zone: Retail Business- Minor Site Plan
Applicant is requesting approval to build a 3 story, masonry and frame apartment building with 5 units, on a vacant 60 x 100 lot. This is a conforming use of the property. The applicant's project does not require any variances.
This applicant will be seeking approval of the site plan including a variance for the front set back as well as any and all variances deemed necessary by the Board. The variances necessary were a result of discussions at the workshop on March 4, 2019.
PUBLIC HEARING
Since Michael Carbone is a sitting member of the Seaside Heights Planning and the town council, Steve Zabarsky, Esq. polled the Planning Board Members. This was to be sure that they do not have a conflict with the application/applicant and to confirm that they could make their decisions fairly and impartially and based solely on the facts and plans put before them. All present members gave affirmative votes, the remaining 5 without Michael Carbone.

Ed Angster was sworn in as the qualified professional who is a licensed engineer, Architect, and Planner in New Jersey. He spoke on behalf of the applicant.

Ed Angster spoke referring to the review letter from Planning Board Engineer, Doug Klee.

2.

Doug Klee stated that this application is variance-free, however, he does have an issue with the fence, which is at the corner of the property. Klee said that he is satisfied with a waiver, since the gate is there for as a safety issue.

Robert Triano asked what kind of fencing does the applicant plan to use? Angster stated it would be white vinyl. Doug Klee added that it is not the fence that is the problem, it is the spacing if all the parking spots are full. The addition of the corner fence is to block a parked car door from swinging into the town sidewalk area.

Ed Angster explained that regarding solid waste, there will be storage in the rear of the building for trash receptacles.

Frank Santora asked if there were any questions of the Board. There were no further questions. He then asked if any members of the 200' radius or the public had questions.

Jeff Bowden of 1201 Ocean Terrace was sworn in. He had a question about the process of the hearing and not about the actual application. He wanted to know how the new member, David Witherspoon, could vote because Bowden did not hear Witherspoon get sworn in. Steve Zabarsky, explained that he read Witherspoon his oath prior to the start of the meeting.

A motion to adopt a resolution for this application was made by Tom Faragalli, seconded by Vito Ferrone. Yes votes: Tom Faragalli, Vito Ferrone, David Witherspoon, Robert Triano, and Frank Santora.

Bl. 28 Lots 7, 21, 23, & 27- 309-21 Hamilton Ave, 323 Hamilton Ave., 36-314 Bay Boulevard-Walters Group-SEASIDE SENIOR APARTMENTS, LLC
Applicant is seeking administrative approval for design changes detailed in a letter written by Edmond C. Speitel on March 18, 2019. These changes include: The removal of wood decks at the ground floor level along the front of the building and removal of the raised patio and stairs off the back of the building.
ADMINISTRATIVE APPROVAL
Doug Klee stated that he recommends administrative approval for this application. He sees no problems with the requested changes and stated that they were mainly for aesthetic purposes.

Frank Santora asked the Board if any members had any questions or issues regarding the changes. There were no questions and all were in favor of the administrative approval.

Block 12 Lot 1 - 315 Boulevard - Robert J. Bennett - Zone: Retail Business – Minor Site Plan
Applicant recently constructed an ice cream parlor on this property. As instructed by the Board and per Resolution 2017-09, applicant is coming to the Board for site plan approval to add an

arcade and party room to this property. In addition, applicant will be seeking a design waiver and a variance for parking.

MEMORIALIZE RESOLUTION # 2019-07

A motion was made by Robert Triano, second by Vito Ferrone to approve this application. Yes votes: Robert Triano, Vito Ferrone, Frank Santora, Michael Carbone (these members were present at the public hearing portion of the application).

BL. 45 LOT 7.01 - 45-47 Blaine Ave. - 51 Blaine, LLC - Zone: Residential – Variances

Applicant is requesting approval to renovate the building on this property, which is currently a boarding house and is a non-conforming use of this property. The applicant proposes to convert the building/boarding house into five (5) summer, seasonal residential units for transient or owner occupied use. All the existing property characteristics: lot area, frontage width setbacks, etc. will remain the same. The applicant will be requesting variances for pre-existing violations on the property. Those variances requested are for the front setback, off street parking, and lot area/ per unit or density. The proposed change will bring the use of the property into conformity with zoning standards.

Atty: Matthew Heagan

This hearing has been postponed due to a problem with publishing the public notice with the newspaper. New date to be determined.

The public hearing will be heard on April 24, 2019.

BL. 69 LOTS 1, 1.01 &1.02 – Dupont Ave. Pier – Zone: Resort Recreational – Final Site Plan Approval- PHASE 3

Applicants are requesting Final Site Plan approval for Phase 3 of their construction project. These applicants received preliminary and final site plan approval to handle their project in 3 phases: Phase 1- An 11,000 sq.ft, temporary restaurant and six (6) 565 sq. foot commercial kiosks. Phase 2- construction of a 17,000 sq. ft. permanent beach bar and banquet facility including outdoor deck and bar area as well as a 28,000 sq. ft pool club. Phase 3 – construction of a **6,700 sq. ft**. commercial building including outdoor deck area. This approval was memorialized in SSH Planning Board Resolution 2018-08 on March 28, 2018; preliminary and final site plan approval for Phase 1 and 2 and preliminary approval for Phase 3. As per the resolution, the applicants are here to address Phase 3 of the construction project for final site plan approval. They are seeking approval to build a **10,700 sq.ft.** footprint for a commercial building and a time extension of the approved Phase 1, temporary restaurant, for one season.

Atty- Mark Schneider

At the request of the applicant, through attorney Mark Schneider, this matter was withdrawn from the agenda.

4.

BL. 17.02 LOT 2 – 202-208 Bay Terrace – LaPierre, Inc. – Zone: Retail Business (RB)- Variance
Applicant is requesting a variance on this property to change the use from a seasonal boarding house to a year-round boarding house for the elderly. The applicant will not be making any changes to the property. They are proposing repairs to the front façade and to make repairs and upgrades to the interior portion of the building.
Atty- Mark Schneider
At the request of the applicant, through the attorney, Mark Schneider, this matter was withdrawn from the agenda. The applicant will reapply after a review and modification of their design.

Doug Klee added a matter that was not on the agenda, which is old business. We received a letter, written by Jason M. Marciano regarding 1515 Ocean Terrace, BL. 55 LOTS 1,2 & Part of 9, Firetto Condominiums. They are requesting a landscaping design change to substitute the approved grass on the eastern portion of the property, between the boardwalk and the building, with stones. They believe that it will be a much more durable ground cover given the location of the property.

All the Board members were in agreement to approve this change.

A motion to adjourn the meeting was made by Vito Ferrone and second by Michael Carbone at 6:20 PM.

A recording device was unavailable for this meeting. The minutes are not verbatim but reflect the important details of the meeting.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

MINUTES
Seaside Heights Planning Board
WORKSHOP
Monday April 1, 2019
6:00pm
Court Room over Fire House

Opening: 6:00PM by Frank C. Gorman

Roll Call: **PRESENT:** Frank C. Gorman, Steve Sanzone, Chris Vaz, Fank M. Santora, Michael Carbone, Robert Triano, Vito Ferrone, David Witherspoon, Thomas Faragalli
ABSENT: Peter Jarkezian, Ted Szejnrok

Motion to approve minutes from March 27, 2019 made by Vito Ferrone, second by Robert Triano. All in favor.

BL. 10 LOT 3 – 113/115 BOULEVARD – GENEVIEVE'S LLC.- (GENEVIEVE DIFILIPPO & KAREN BRYANT) – ZONE: RETAIL BUSINESS – MINOR SITE PLAN WITH VARIANCES
The applicant is requesting approval for outdoor seating in the rear yard of their existing restaurant. The present use of the property is a restaurant and 1 apartment on the 2nd floor. The current use of the property is non-conforming because of the apartment. The applicant is requesting the apartment remain in place. Applicants will be asking for approval of the following variances: USE- expanding use for outdoor seating in rear of restaurant.
USE- continued use of the apartment.
BULK- for total lot area
BULK- off street parking
Atty: Matt Heagen

Matt Heagen, Esq. appeared on behalf of the applicants along with Genevieve DiFilippo. He explained that the present use of this property is Genevieve's restaurant with an apartment on the second floor of the building. The applicant would like approval to have outdoor seating in the back of the building and to be allowed to keep the apartment in place.

Frank Santora asked how patrons will get to the outdoor seating. Applicant responded that the patrons will check in with hostess and will be walked down the side yard into the back of the building where there is a fenced-in courtyard with tables and chairs. He further asked if patrons will be given access through the back door behind the kitchen. The applicant said that it is only utilized by employees.
Since there is only a side yard and back yard, Tom Faragalli asked how patrons can go down

side yard if there is a car parked there, because that is the parking for the apartment. The applicant stated that currently an employee of the restaurant lives in the apartment and will not park their car there during operating hours. This is where the variance comes in for parking as there is no off street parking for patrons.

Members had no further questions. This will be continued at a Public Hearing on April 24, 2019.

BL. 57 LOT 7.02 – 1305 OCEAN SH, LLC. – (CHE LEE & DUEN LEE) – ZONE: RESORT RECREATIONAL – VARIANCES

The present use of this property is two, 2-family structures used by the owner and for rentals. (4 units total) The applicant proposes to use the property as 4 single unit rentals for transient use including heat. There is an existing garage that the applicant will be seeking variances for setbacks and will replace the garage, if necessary, in the exact location. Applicants are seeking variances for:

*REAR YARD SETBACK- The code requires 3 feet, but there is a .06 foot setback.

*SIDE YARD SETBACK-LEFT AND RIGHT-Where it is permitted by code for a 10 foot setback on the right side, there is a 2.7 foot setback. Where it is permitted by code for a 3 foot setback on the left side, there is a 1.8 foot setback.

*APPROVAL OF GARAGE IN SETBACK WITH THE RIGHT TO REBUILD IN THAT SETBACK .

*INSTALL HEATING IN THE UNITS THAT DO NOT HAVE HEATING.

Atty: Matt Heagen

Matt Heagen, Esq. appeared on behalf of the client. The applicant did not attend the meeting. Heagen stated that all the problems with this property have been existing problems, before this applicant purchased the property. One of those problems is the parking, however, Heagen stated that he believes there is enough room for parking, adequate for 4 single units.

Doug Klee, Planning Board Engineer asked if these units will be for transient use. Heagen stated that they will be. Klee asked if there is a survey of the property available, because he is concerned with the parking practicality and would like it if the applicant was available for questions. Heagen stated that there is a 30 foot apron on the property where cars should be able to move in and out. Klee would like to know how far from the sidewalk will cars be parking including on the Ocean Terrace side. Klee said that the engineer for the applicant may need to be present for the public hearing.

3.

Matt Heagen stated that the only reason this application is before the Planning Board is because they want to add heat to the units, because they are essentially staying the same.

With regard to the garage/shed, Frank M . Santora asked what the applicant plans to do with it. Heagen replied that they may be putting washer and dryer in it for the renters to use during their stay at the property.

There were no further questions.

This application will be heard a public meeting on April 24, 2019

BL. 1 LOTS 11 & 17 – (Commonly known as 11 and 17 Dupont Ave.) 100-103 Ocean Terrace-Michael Carbone- Zone: Retail Business- Minor Site Plan

Applicant is requesting approval to build a 3 story, masonry and frame apartment building with 5 units, on a vacant 60 x 100 lot. This is a conforming use of the property. The applicant's project does not require any variances.

MEMORIALIZE RESOLUTION 2019-08

Motion made to approve above resolution by Vito Ferrone, Second by Robert Triano

Yes votes: Vito Ferrone, Robert Triano, Frank M. Santora, David Witherspoon, Tom Faragalli

None opposed.

MINUTES
Seaside Heights Planning Board
Wednesday, April 24, 2019 6:00pm
Court Room over Fire House

Opening: 6:00 by Chairman, Frank Gorman

Roll Call: Present: Frank C. Gorman, Chris Vaz, Frank M. Santora, Michael Carbone, Robert Triano, and Vito Ferrone
Absent: Steve Sanzone, Peter Jarkezian, David Witherspoon, Ted Szejnrok, and Thomas Faragalli

Motion to Approve Minutes: Meeting date: April 1, 2019
Motion by: Michael Carbone Second by: Vito Ferrone ALL IN FAVOR.

Matt Heagen, Esq. represented all three applicants on this date.

BL. 10 LOT 3 – 113/115 BOULEVARD – GENEVIEVE'S LLC.- (GENEVIEVE DIFILIPPO & KAREN BRYANT) – ZONE: RETAIL BUSINESS – MINOR SITE PLAN WITH VARIANCES

The applicant is requesting approval for outdoor seating in the rear yard of their existing restaurant. The present use of the property is a restaurant and 1 apartment on the 2nd floor. The current use of the property is non-conforming because of the apartment. The applicant is requesting the apartment remain in place. Applicants will be asking for approval of the following variances: USE- expanding use for outdoor seating in rear of restaurant.
USE- continued use of the apartment.
BULK- for total lot area
BULK- off street parking

Atty: Matt Heagen

PUBLIC HEARING

Mathew Wilder, Engineer, who has been before this Board on prior occasions was sworn in by Planning Board Attorney, Rob Greitz.

Wilder explained that there is a deck in the back yard of the property that could permit seating for 18 patrons. In response to request for information from Doug Klee, Planning Board Engineer, Wilder told the Board that there are 2 full time employees and 6-10 part time employees during the season. The hours of operation are 5pm – 9pm. There is no outdoor storage and deliveries are brought in on the south side of the building by vendors who have parked in the street. Trash is collected inside building and transferred outside on the side of the building as it fills up. With regard to handicapped accessibility, there is pea gravel outside leading to the back deck. Therefore, seating under those circumstances must be inside the building.

Wilder stated that the variances the applicant is requesting could be approved based on a hardship variance with regard to lot size and parking, since there is no land adjacent to the building for the applicant to purchase. Additionally the building has been there for a very long time and they are not changing anything about it structurally.

Rob Greitz asked if the applicants had any plans on moving or expanding. Wilder responded, "no". Wilder also added that he felt that the variances would benefit the community.

Robert Triano asked if there will be entertainment and extended hours of operation for such. Wilder and Heagen both stated that it is purely for food service.

Doug Klee spoke in order to clarify the agenda and its wording. He stated that at the workshop preceding this public hearing there was discussion that a use variance could be required. After Klee's review, he found that there are no use variances necessary and that the restaurant and apartment are permitted uses of this property in this zone. Additionally, Klee added that he sees no issue with the fence in the rear of the building and does not think there are neighbors complaining about the fence.

Matt Heagen stated that he thought that the apartment was a non-conforming use, but is comfortable with Klee's clarification that there is no issue with the use of the building.

Wilder added that this application is an expansion of a conforming use.

Rob Greitz explained that both uses are permitted in this zone so it's basically just a bulk variance for parking and the inclusion of seating on the deck, making this a straight bulk variance application.

There were no further questions of the Board. There were no questions from members of the 200 foot radius.

Ray Nebus, of 305 Sampson Ave. Seaside Heights, member of the audience was sworn in. Mr. Nebus stated that this business fits right in line with what the town would like to do on the Boulevard and hopes more businesses like this one move into town. He is in complete support of their application.

A motion to adopt a resolution to approve this application was made by Michael Carbone, second by Vito Ferrone. All members were in favor.

A resolution will be drawn and adopted at the next regular meeting of the SSH Planning Board.

BL. 57 LOT 7.02 – 1305 OCEAN SH, LLC. – (CHE LEE & DUEN LEE) – ZONE: RESORT RECREATIONAL – VARIANCES

The present use of this property is two, 2-family structures used by the owner and for rentals. (4 units total) The applicant proposes to use the property as 4 single unit rentals for transient use including heat. There is an existing garage that the applicant will be seeking variances for setbacks and will replace the garage, if necessary, in the exact location. Applicants are seeking variances for:

*REAR YARD SETBACK- The code requires 3 feet, but there is a .06 foot setback.

*SIDE YARD SETBACK-LEFT AND RIGHT-Where it is permitted by code for a 10 foot setback on the right side, there is a 2.7 foot setback. Where it is permitted by code for a 3 foot setback on the left side, there is a 1.8 foot setback.

*APPROVAL OF GARAGE IN SETBACK WITH THE RIGHT TO REBUILD IN THAT SETBACK .

*INSTALL HEATING IN THE UNITS THAT DO NOT HAVE HEATING.

Atty: Matt Heagen

PUBLIC HEARING

Matt Heagen explained that there are 2 structures each with 2 family units plus a garage. The applicants are asking for a waiver for the garage if it becomes necessary to replace it. He also stated that there is an on-site parking situation and deferred to the engineer to explain.

Mathew Wilder was sworn in. He stated that there are 8 off street parking spots for 4 units. There is tandem parking for 4 vehicles and they are requesting a waiver for 4 feet from the sidewalk and 2 feet from the Kearney Ave. side Wilder said there is no way to relocate or reconfigure the parking to be able to comply with codes. The applicants are not making any structural changes.

With regard to the garage Wilder explained that the same holds true that they would like to keep the structure where it is or would like to be able to replace it if necessary and there is no other place on the property to relocate it so that it is in the required setbacks.

Wilder stated that there would be an undue hardship for the owners if the variances are not passed. He added that if approved, the variance would not be a detriment to the neighborhood.

Robert Triano asked if there will be any other work in/on the building. Matt Heagen replied that they are renovating, updating, and adding heat. He also stated that the use is transient, there will be no long-term rentals but would like to rent to people for as much of the year as possible.

Rob Greitz, Esq. stated that "transient" is a stay less than 90 day and the renter must have a permanent address elsewhere.

Rob Triano asked what types of renovations will take place. Applicant, Che Lee was sworn in. They plan to renovate by painting, changing the flooring, repair items that are broken and to add extra bathrooms. Triano also asked about the shed to confirm that they are not planning to use that as a rental unit. Rob Greitz stated that no one is allowed to live in or rent the garage for sleeping could be a condition of the resolution if the Board is inclined to approve the application.

Frank Santora stated that there seems to be substantial damage to the concrete structure/garage. Lee stated they are going to repair and beautify it. Frank Santora stated that at the workshop it was mentioned that the applicant might add a washer and dryer to the garage. Lee responded that they are considering that because the units are small and there and there is plumbing set up in the garage. Heagen added that the applicant bought this property in the condition that it is currently in.

Rob Greitz stated that a condition for a resolution must be that the garage is fixed and upgraded. Matt Heagen said the applicant would like to get the building up and running to generate cash to fix the garage. He requested that the applicant have 6 months to fix the garage and if necessary to be allowed to ask for a 6 month extension. Kenny Roberts, Code Enforcement/Zoning Officer pointed out that there is a possibility that the applicants can fail rental inspection because of the condition of the garage. Matt Heagen asked his client if he understands that Code may not give a rental certificate of occupancy, which will put pressure on them to fix the garage. Matt Heagen asked Lee if he specifically understood that there is this risk. Lee said he understood. Matt Heagen highlighted to the applicant that they are getting allowance to keep the garage but in return, they have to fix is ASAP.

Rob Greitz asked if there was a motion to adopt this resolution with the usual conditions including rental shall be strictly transient, there will be no residing in the garage, and improvements must be made on the garage within 6 months and if unable to do so they must come before the Board to request a 6 month extension.

A motion was made by Robert Triano, second by Michael Carbone. All in attendance were in favor. A resolution will be written and memorialized at a meeting in the near future.

BL. 45 LOT 7.01 - 45-47 Blaine Ave. - 51 Blaine, LLC - Zone: Residential – Variances
Applicant is requesting approval to renovate the building on this property, which is currently a boarding house and is a non-conforming use of this property. The applicant proposes to convert the building/boarding house into five (5) summer, seasonal residential units for transient or owner occupied use. All the existing property characteristics: lot area, frontage

width setbacks, etc. will remain the same. The applicant will be requesting variances for pre-existing violations on the property. Those variances requested are for the front setback, off street parking, and lot area/ per unit or density. The proposed change will bring the use of the property into conformity with zoning standards.
Atty: Matthew Heagan
This hearing was postponed from March 27, 2019 due to a problem with publishing the public notice with the newspaper.
PUBLIC HEARING

Matt Heagen submitted a revised application with very minimal changes. He said that this property is currently a board house/hotel that never had any off-street parking available. All the issues that are before the Board today are issues that have existed with the history of the property. There are 22 rooms which the applicant proposes to convert into 5 rental units. Heagen stated that they are taking a property with non-conforming use and turning it into a multi-family, which is conforming.

Frank C. Gorman asked if there were any questions from the Board.

Applicant, John Scudiero was sworn in by Rob Greitz.

Doug Klee, Planning Board Engineer asked if this was going to be for transient use only. Mr. Scudiero stated yes and that the property will be open from May to October.

There were no other questions from the Board, 200' radius, or audience.

Rob Greitz asked Mr. Scudiero if he concurred with all the representations that were made by his attorney, Matt Heagen. The applicant said yes.

Matt Heagen added that took owner occupied off of the application. Mr. Scudiero said he owns 8 properties in town and has made them all look great. He stated that he plans to re-do everything at the property in this application to make it beautiful.

Chris Vaz mentioned that the Borough Mayor and Council just approved Blaine Ave. Road improvements to begin in the Fall. He noted this because if the project needs anything underground, it needs to be done before the road improvement gets started. Once that road job is started and completed, no one can do any projects that will entail ripping up the road for the next 5 years. Chris advised that if anything of that nature comes up, the applicant should check in with the town prior to doing so.

Kenny Roberts, Code Enforcement/Zoning Officer stated that all of Mr. Scudiero's properties are kept very well. Doug Klee mentioned that the "Hotel Vacant" sign must be removed.

A motion to adopt a resolution was made by Vito Ferrone, Second by Michael Carbone. All members in attendance were in favor with the conditions that the hotel sign must be removed and the premises will be open from May to October.

The resolution will be drafted and memorialized at a future meeting.

A motion to adjourn the meeting was made by Michael Carbone, Second by Vito Ferrone at 6:45PM.

These minutes are not verbatim, however, a recording is available with the Planning Board Secretary in the Borough Hall of Seaside Heights.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

WORKSHOP MINUTES
Seaside Heights Planning Board
Monday, May 6, 2019
6:00pm
Court Room over Fire House

Opening: ***6:00 PM by Chairman, Frank C. Gorman***

Roll Call: ***Present: Frank C. Gorman, Chris Vaz, Frank M. Santora, Michael Carbone, Robert Triano, Vito Ferrone***
Absent: Steve Sanzone, Peter Jarkezian, David Witherspoon, Ted Szejnrok, Thomas Faragalli

****In the absence of Rob Greitz and Steven Zabarsky, Esqs., Brian Wilke attended the meeting in the capacity of the Planning Board Attorney.***

Motion to approve minutes from April 24, 2019: ***Motion by Michael Carbone, Second by Vito Ferrone. All were in Favor***

BL. 50 LOT 3 – 206 FREMONT AVE.- MOONCHILD PROPERTIES, LLC.- ZONE RB –MINOR SUBDIVISION

The current use of this property is a single family, 1 story house with a detached garage. The applicants propose to build 2-single family homes, each at 3 stories tall. Applicants are requesting a minor subdivision of this property. The use of the property is conforming and the applicants are not asking for any varianaces.
ATTY: MATT HEAGEN, ESQ.

Doug Klee, Planning Board Engineer, stated that the applicants are requesting a simple subdivision. Since it is protocol to bring Planning Board applications to workshop, the applicants are present. Doug Klee stated that the property is conforming and there are no engineering issues. Since the applicants are an LLC, they need to have an attorney present for the public hearing, which will be scheduled for May 29, 2019.

BL. 69 LOT 35 & 35.01 – BOARDWALK-OCEANSIDE- SHORE, LLC. – ZONE RESORT RECREATIONAL – SITE PLAN WITH VARIANCES

Currently this property is a vacant pier. The applicant proposes to utilize this property as boardwalk amusements. There is a cross easement with the municipality on this property. The applicants would like to mimic the development to the south of the property. The applicant will be asking for the following variances:

FRONT SETBACK: Where a 10 foot setback is required applicant is proposing a 0 foot setback.
SIDE SETBACK: On the left side of the property, the applicant is asking for a 0 foot setback, wherein there needs to be a 3 foot setback.
ATTY: MARK A. SCHNEIDER, ESQ.

Mark Schneider, Esq appeared on behalf of the applicants. He explained that this is an existing pier that they would like to put amusements on the property.

The applicants plan to keep this an open space with vendors, amusements, and a bar using pre-fab construction. They would also like to construct a retractable roof made of a steel beam with 2 glass doors that open and close so that this could have year round usage. The applicants are striving for a park-like atmosphere.

The ocean front piece of the property will remain open to the elements, not included in the glass ceiling portion of the project. There will be restrooms on the property in the form of stationary trailers that have bathroom facilities. All the structures on the property are permanent structures similar to a modular home but constructed of retro-fitted containers specifically for the site.

Chris Vaz- commented that he would like to interject that any new transfer of a liquor license must be a restaurant. He stated that the applicants should keep this in mind regarding their approval of this project. This ordinance would prohibit developers from just putting in a bar. Additionally, Chris mentioned that it would be good if their rides they plan to install would be more for younger kids. Chris also said to consider that there is a pending ordinance that will state that whoever holds a liquor license must own a restaurant, food must be the primary focus, alcohol secondary.

Frank C. Gorman asked what the square footage will be totaling all the containers together. The applicants stated that it will be 2,000 sq.ft.

Ken Roberts, Zoning Officer stated that there is a possibility that the Dept. of Fire Safety might want there to be stairs to go down to the beach for safety reasons.

The applicants will be requesting a 0'set back varianace in the front of the development to stay in line with the board walk and a parking waiver.

To be heard at a Public Hearing on May 29, 2019.

BL. 40 LOT 9 – 1004 BOULEVARD – HEPHAESTUS ENTERPRISES, LLC – ZONE RETAIL BUSINESS/RESIDENTIAL MAJOR SITE PLAN

Applicant is requesting preliminary and final major site plan approval to construct (2) 2-unit, 3-story townhouse buildings with parking underneath, a pool, and outside seating barbecue area. This is a conforming use of the property and is currently a vacant, gravel lot. They will be asking for a Front Setback variance for this project asking for a 5 foot setback, where 10 feet is permitted by code.

The applicants received approval in July 2018 for this project. They are seeking an extension of the approval as well as requesting some changes to the plans. Those changes will be discussed at the meeting.

Jerry Dasti, Esq. appeared on behalf of applicant and stated that they sold the property to Bob Stone.

They received approval to build two buildings with 2 units in each totaling 4 townhouses. The approved plans for the original development was 2 separate building, but now they would like to join the buildings so they will be connected. Ultimately they will be losing square footage, but adding two more off-street parking spaces; taking it from 8 to 10 spaces. They applicants felt this will facilitate cars coming and going only on Sheridan Avenue as requested by the Board at prior approval.

Vito Ferrone asked what the purpose of connecting the building is. Mr. Dasti stated that Mr. Stone wants it all under one roof. The units will be the same but they will be 2 feet smaller because of a 5 foot setback from the adjacent hotel boundary.

There is a condition on the prior approval that the applicant is requesting to be removed, which states that there is NOT to be any cars backing out on Sheridan Ave. The applicant stated that it shouldn't be necessary for cars to pull out on the Boulevard.
The applicants are aware that parking is an issue at this location with the plans they are proposing. They are suggesting to get approval to double stack parked cars and leave a space where the cars can make a K-turn and head out on Sheridan Ave.

Vito Ferrone suggested that instead of adding the 9^{th} and 10^{th} parking spots, maybe the applicants could work it out so that would be the space to make the k-turn in order to be able to head out of the driveway.

Rob Stone said he would be fine with eliminating the 2 additional guest spots and stay with 8 parking spaces under the building. Chris Vaz and Frank C. Gorman said they absolutely do not want backing out onto the street.

Chris Vaz has a problem with changing the approved plan to putting the buildings together if it changes the parking situation from the original. Most of the members felt that the previously approved plans for parking were much better than what they are currently proposing.

A poll was taken of the Board members and all were in favor of bringing this application back to further workshop matters on May 29, 2019.

Mike Carbone made a motion to adjourn the meeting at 7:00 pm all in favor.

These minutes are representative of the highlights of the meeting and are not verbatim. A recording device was unavailable for this meeting so they are of the writer's best recollection.

Submitted by:
Sherri Sieling
Planning Board Secretary

MINUTES
Seaside Heights Planning Board
Wednesday, May 29, 2019
6:00pm
Court Room over Fire House

Opening: ***6:00 PM by Frank C. Gorman, Chairman***

Roll Call: ***Present: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Vito Ferrone, David Witherspoon, Thomas Faragalli***
Absent: Peter Jarkezian, Michael Carbone, Ted Szejnrok

Motion to approve minutes from May 6, 2019: ***Motion by Vito Ferrone, Second by Robert Triano-All in favor.***

BL. 50 LOT 3 – 206 FREMONT AVE.- MOONCHILD PROPERTIES, LLC.- ZONE RB –MINOR SUBDIVISION
The current use of this property is a single family, 1 story house with a detached garage. The applicants propose to build 2-single family homes, each at 3 stories tall. Applicants are requesting a minor subdivision of this property. The use of the property is conforming and the applicants are not asking for any varianaces.
ATTY: MATT HEAGEN, ESQ.
PUBLIC HEARING
Matt Heagen, Esq. appeared with Brian DiBrino, Managing Member of Moon Child Properties, LLC. Presently this is a 60 x 100 foot lot with one single family dwelling. They are requesting approval to subdivide the property into (2) 30 x 100 foot lots. The applicants plan to build (2) single family dwellings on the property if approved.

Doug Klee stated they took proper channels by bringing this application to a workshop and that their plans comply with the use for that zone.

There were no questions from the Board and the members all agreed that this company is doing beautiful work around the town.

Frank C. Gorman asked if there were any questions from the audience or 200' radius. There were none.

Motion to approve the application was made by Steve Sanzone, Second by Vito Ferrone.

Yes votes: Steve Sanzone, Vito Ferrone, Frank C. Gorman, Chris Vaz, Frank M. Santora, Robert Triano, David Witherspoon, Tom Faragalli.

BL. 58 LOT5 – 1209 OCEAN TERRACE- DANNY MERK – ZONE RESORT RECREATIONAL

The applicant is requesting to leave his property the same as it is currently; 1 family dwelling which has a temporary rooftop deck and 1 business along the boardwalk. The applicant would like to have the deck approved to be a permanent structure on the property.

ATTY: ANTHONY M. PAGANO, ESQ.

PUBLIC HEARING

Anthony Pagano, Esq. appeared for the applicant. He explained that there has been a temporary approval for the rooftop deck, which has been on the property since 2009 till present.

Mathew Hockenbury, Engineer was sworn in. Qualifications were accepted by the Board. Hockenbury stated that the property is 40x156 (6,217 sq. ft.) There is a 1 ½ story dwelling with access to Ocean Terrace. The deck is on the south side of the building. There are wooden stairs to the deck. The deck is 40x50 feet, the same size as the commercial store. There are plexiglass railings, a temporary daybed, a cabana, hot tub, and chairs. There is a door with a lock so there is no access to the deck without the key. Hockenbury stated that the applicant is looking for approval to make the deck permanent, with existing conditions.

Robert Triano asked if the deck was inspected by the construction department. The applicant stated yes it was inspected.

Tom Faragalli wanted to know what the purpose of the deck would be. Hockenbury stated that it would be for tenants and potentially to rent out the deck.

Danny Merk was sworn in. He plans to move into the house on this property and to use it for his personal recreation. He stated that he does not plan to rent the deck to kids for parties, however, he stated he would consider it for weddings or formal parties.

Tom Faragalli asked Danny Merk if he would be opposed to the Board making restrictions. Danny Merk stated that he would not be opposed whatsoever.

Frank C. Gorman stated that he felt that there should be a maximum of 25 people on the deck, unless there is a special event.

Frank Santora stated that he is concerned because of the MTV days and what it will be like on the deck. The Board stated that Merk would have to go before the Mayor and Council to apply for Special Event Permits.

Doug Klee stated that the deck that was built for MTV was taken down and has all been rebuilt.

Frank C. Gorman asked if there were any other questions of the Board. There were none. There were no questions from the public either.

Chris Vaz wanted to reiterate that the Boro Mayor and Council MUST approve any special events.

Frank Santora was opposed to the deck being used commercially. Steven Zabarsky, Esq. Planning Board Attorney stated that you cannot stop anyone from making a special event application.

Chris Vaz asked if there is some limit of the amount of people allowed on the deck. The limit is 2 people per square foot. Steven Zabarsky stated that per code, there is a limit of 12 people on the deck if they are tenants renting the property. If it is owner occupied, there are no restrictions.

A motion was made to approve the application by Chris Vaz, Second by Robert Triano with stipulations:
-prohibited from using the deck for commercial purposes
-if applicant decides to use deck for commercial purposes, he would have to come before the Board to request approval for necessary setback variances.
-usage of the deck limited to applicant's own personal use and or by tenants of the residence
-there is a Cert. of Occupancy for the residency of 12 persons. If tenants use the deck, max allowed is 12 people.
-must apply to the Mayor and Council for any special events that are not for the applicant's personal purposes.
Yes votes to approve the application: Chris Vaz, Robert Triano, Frank C. Gorman, Steve Sanzone, Frank M. Santora, Vito Ferrone, David Witherspoon, Tom Faragalli

BL. 10 LOT 3 – 113/115 BOULEVARD – GENEVIEVE'S LLC.- (GENEVIEVE DIFILIPPO & KAREN BRYANT) – ZONE: RETAIL BUSINESS – MINOR SITE PLAN WITH VARIANCES

The applicant is requesting approval for outdoor seating in the rear yard of their existing restaurant. The present use of the property is a restaurant and 1 apartment on the 2nd floor.

The current use of the property is non-conforming because of the apartment. The applicant is requesting the apartment remain in place. Applicants will be asking for approval of the following variances: USE- expanding use for outdoor seating in rear of restaurant.

USE- continued use of the apartment.

BULK- for total lot area

BULK- off street parking

MEMORIALIZE RESOLUTION # 2019-09

Motion to memorialize the above resolution made by: Vito Ferrone, Second by Robert Triano
Yes votes: Vito Ferrone , Robert Triano, Frank C. Gorman, Chris Vaz, Frank M . Santora

BL. 57 LOT 7.02 – 1305 OCEAN SH, LLC. – (CHE LEE & DUEN LEE) – ZONE: RESORT RECREATIONAL – VARIANCES

The present use of this property is two, 2-family structures used by the owner and for rentals. (4 units total) The applicant proposes to use the property as 4 single unit rentals for transient use including heat. There is an existing garage that the applicant will be seeking variances for setbacks and will replace the garage, if necessary, in the exact location. Applicants are seeking variances for:

*REAR YARD SETBACK- The code requires 3 feet, but there is a .06 foot setback.

*SIDE YARD SETBACK-LEFT AND RIGHT-Where it is permitted by code for a 10 foot setback on the right side, there is a 2.7 foot setback. Where it is permitted by code for a 3 foot setback on the left side, there is a 1.8 foot setback.

*APPROVAL OF GARAGE IN SETBACK WITH THE RIGHT TO REBUILD IN THAT SETBACK .

*INSTALL HEATING IN THE UNITS THAT DO NOT HAVE HEATING.

Atty: Matt Heagen

MEMORIALIZE RESOLUTION # 2019-10

Motion to memorialize the above resolution made by: Robert Triano, Second by Vito Ferrone
Yes votes: Vito Ferrone , Robert Triano, Frank C. Gorman, Chris Vaz, Frank M . Santora

BL. 45 LOT 7.01 - 45-47 Blaine Ave. - 51 Blaine, LLC - Zone: Residential – Variances

Applicant is requesting approval to renovate the building on this property, which is currently a boarding house and is a non-conforming use of this property. The applicant proposes to convert the building/boarding house into five (5) summer, seasonal residential units for transient or owner occupied use. All the existing property characteristics: lot area, frontage

width setbacks, etc. will remain the same. The applicant will be requesting variances for pre-existing violations on the property. Those variances requested are for the front setback, off street parking, and lot area/ per unit or density. The proposed change will bring the use of the property into conformity with zoning standards.
Atty: Matthew Heagan

MEMORIALIZE RESOLUTION # 2019-11

Motion to memorialize the above resolution made by: Chris Vaz, Second by Vito Ferrone
Yes votes: Vito Ferrone , Robert Triano, Frank C. Gorman, Chris Vaz, Frank M . Santora

Motion to adjourn this meeting was made by Steve Sanzone at 7:00pm all in favor.

These minutes are representative of the highlights of the meeting and are not verbatim. A recording of this meeting is available with the Planning Board Secretary in the Boro Hall.

Submitted by:
Sherri Sieling
Planning Board Secretary

MINUTES
Seaside Heights Planning Board
Wednesday, June 26, 2019
6:00pm
Court Room over Fire House

Opening: Steve Sanzone, Vice Chairman opened the meeting at 6:00pm in Frank C. Gorman's absence.

Roll Call: PRESENT: Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Vito Ferrone, David Witherspoon
ABSENT: Frank C. Gorman, Peter Jarkezian, Michael Carbone, Ted Szejnrok, Tom Faragalli

Motion to approve minutes from May 29, 2019:
Motion by Vito Ferrone, Second by Robert Triano- All in favor.

BL. 40 LOT 9 – 1004 BOULEVARD – HEPHAESTUS ENTERPRISES, LLC – ZONE RETAIL BUSINESS/RESIDENTIAL - MAJOR SITE PLAN
The applicants received approval in July 2018 for this project. They are seeking an extension of the approval, since they have not yet begun the construction project.
ATTY: JERRY DASTI, ESQ.
ADMINISTRATIVE MATTER- EXTENSION OF PRIOR APPROVAL OF THE PLANNING BOARD
Jerry Dasti, Esq. via letter dated June 4, 2019, formally requested a one year extension of the Planning Board's prior approval for a construction project in August of 2018.
A motion to adopt a resolution granting a 1 year extension was made by Vito Ferrone, second by Frank M. Santora. All in attendance were in favor. Resolution will be memorialized at the next Planning Board meeting.

BL. 50 LOT 3 – 206 FREMONT AVE.- MOONCHILD PROPERTIES, LLC.- ZONE RB –MINOR SUBDIVISION
The current use of this property is a single family, 1 story house with a detached garage. The applicants propose to build 2-single family homes, each at 3 stories tall. Applicants are requesting a minor subdivision of this property. The use of the property is conforming and the applicants are not asking for any variances.
ATTY: MATT HEAGEN, ESQ.
MEMORIALIZE RESOLUTION #2019-12
Rob Greitz, Esq. Planning Board Attorney reviewed resolution with the Board.

A motion to memorialize the above resolution was made by Steve Sanzone, second by Vito Ferrone. All were in favor.

ADMINISTRATIVE APPROVAL:

This item was not on the agenda. A request to install Belgium block curbing to 5 homes on Hiering Ave. (Block 76 Lot 15, 130 Hiering Ave., original application) came in via letter dated June 26, 2019 by Brian DiBrino, President and CEO of Moon Child Properties, LLC. The construction of these homes was approved in Resolution # 2018-24. This is an administrative change that would upgrade the originally approved plan and was approved by all Planning Board members in attendance to use the Belgium blocks.

BL. 58 LOT5 – 1209 OCEAN TERRACE- DANNY MERK – ZONE RESORT RECREATIONAL

The applicant is requesting to leave his property the same as it is currently; 1 family dwelling which has a temporary rooftop deck and 1 business along the boardwalk. The applicant would like to have the deck approved to be a permanent structure on the property.

ATTY: ANTHONY M. PAGANO, ESQ.

MEMORIALIZE RESOLUTION #2019-13

Planning Board Attorney, Rob Greitz reviewed the above resolution with Board members. A motion to memorialize/approve this resolution was made by Robert Triano, Second by Chris Vaz. All members in attendance were in favor.

A motion to adjourn the meeting was made by Steve Sanzone, Second by Frank Santora. The meeting was adjourned at 6:20PM.

The meeting minutes were compiled through notes taken by Chris Vaz in absence of both the Planning Board Secretary and a recording device, therefore not verbatim but the significant issues are noted.

Submitted by:

Sherri R. Sieling
Planning Board Secretary

SEASIDE HEIGHTS PLANNING BOARD

DID NOT HAVE ANY NEW APPLICATIONS

TO REVIEW FOR THE JULY 1, 2019 MEETING, THEREFORE

THE MEETING WAS CANCELLED.

THE MEETING OF THE SEASIDE HEIGHTS

PLANNING BOARD WAS CANCELLED ON

JULY 24, 2019 AS WE DID NOT REACH A QUORUM.

THE SCHEDULED MATTERS WERE CARRIED TO THE NEXT DATE, AUGUST 5, 2019.

MINUTES
WORKSHOP AGENDA
Seaside Heights Planning Board
Monday August 5, 2019
6:00 PM
Court Room over Fire House

Opening: 6:00 PM by Chairman Frank C. Gorman

Roll Call: ***Present: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, David Witherspoon***
Absent: Peter Jarkezian, Michael Carbone, Vito Ferrone, Ted Szejnrok, Thomas Faragalli

Motion to approve minutes from June 26, 2019:
Motion by: Robert Triano Second by Chris Vaz All in favor to approve.

BLOCK 40 LOT 9 – 1004 BOULEVARD – HEPHAESTUS ENTERPRISES, LLC – ZONE RETAIL BUSINESS/RESIDENTIAL MAJOR SITE PLAN
****Carried from July 24, 2019-meeting was cancelled due to no quorum.***
The applicants received approval in July 2018 for this project. They are seeking an extension of the approval, since they have not yet begun the construction project.
ATTY: JERRY DASTI, ESQ.
ADMINISTRATIVE MATTER- EXTENSION OF PRIOR APPROVAL OF THE PLANNING BOARD
MEMORIALIZE RESOLUTION #2019-14
Planning Board Attorney, Rob Greitz read the resolution approving a one year extension of the applicant's prior approval from June 26, 2019 to June 26, 2020.
Motion to approve by: Robert Triano, Second by Steve Sanzone
All in favor to approve.

BLOCK 10, LOTS 5&7 – 101-109 BOULEVARD – ANDERSON PROPERTIES, LLC (KLEE'S) - ZONE RETAIL BUSINESS- SITE PLAN
The applicant is currently using this property as a restaurant and has been in the process of construction based on approval of the Planning Board in 2017. Currently the applicant is

requesting site plan approval to combine Klee's Bar & Grill with the Next Door Café so they may utilize that space for food preparation and a centralized dishwashing room. The applicant would also like to enclose the previously approved cabana area so that the area can be utilized year-round and will extend the café. There are no variances requested for this application.

Butch Anderson, applicant, explained that they would like to build in part of the alley way in the back to make one complete building. As they started their previously approved remodeling project they put in new sewers and electric. At that time they learned that the sewer line goes down the alley, which would allow them to build a central dishwashing center and prep area for Next Door Café, if the Board would allow it. Anderson stated that originally they wanted to build a Tiki bar, but they realized that they would have to do a lot to shut it down and winterize it out of season. The applicant is proposing to enclose this area for year-round usage for parties and events. The restrooms are complete and waiting for a certificate of occupancy. Anderson feels that if the 2 buildings are put together it will make for better operations of the business.

Doug Klee, Board Engineer asked if the alley way was part of the original approval. Butch Anderson answered that it was not part of the approval.

Kenny Roberts, SSH Zoning Officer, asked if they will be putting a flat roof. Anderson stated that is their plan.

Doug Klee mentioned that in their original approval, the Board mentioned that there would need to be an expansion of the liquor license. Anderson stated that all 3 properties are on one deed. Doug also asked Butch Anderson if he had to go back to the council for the liquor license expansion and if the council has seen his new plans. Rob Greitz, Planning Board Attorney interjected that the license is separate and apart from the Planning Board portion, and that this information should be brought to a council meeting.

Chris Vaz stated that the Board, making any decisions now, would be like "putting the cart before the horse" and that the Board should not answer any questions or decide on any approvals until this is all addressed with Mayor and Council first.

Rob Greitz stated that any thoughts or comments by the Planning Board members now are for informational purposes ONLY, because the liquor license must be addressed first.

Doug Klee wanted to know if there were any lighting or landscaping plans. Butch Anderson said that whatever was approved initially will stay the same. Doug Klee would like to have plans with landscaping and lighting specs included.

Frank C. Gorman asked where will the garbage go. There is storage up front where it is currently being housed. All equipment has been moved onto the roof, so there is more room for garbage containment. Doug stated on the plans, existing storage should be called

recycling-solid waste storage. Board members made a point to stating that the enclosed patio, if approved, should be for dining, only.

Frank C. Gorman inquired about fire sprinklers. He wanted to know if they will be tied in to the existing sprinkler system. Anderson said they are hoping that is possible.

Doug Klee asked about signage for the area. Butch Anderson said they will have signs on the roofs and windows. They will have the same uniform look all the way around. Doug Klee asked that they be shown in the architectural drawings.

Chris Vaz took 7 sets of plans for the Mayor and Council to see.

When the Mayor and Council review the plans and make a decision, then Klee's will return to the Board.

Motion to adjourn the meeting was made by Robert Triano, second by Frank Santora. All in favor.

Meeting was adjourned at 6:35 pm

Minutes of this meeting are not verbatim, but have the major points highlighted. There was no recording device available at this meeting.

Submitted by:

Sherri R. Sieling
Seaside Heights
Planning Board Secretary

WORKSHOP MINUTES
Seaside Heights Planning Board
Tuesday, September 3, 2019
6:00 PM
Court Room over Fire House

Opening: 6:00 pm

Roll Call: ***Present:*** *Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Vito Ferrone, Thomas Faragalli*
Absent: *Peter Jarkezian, Michael Carbone, David Witherspoon, Ted Szejnrok*

Motion to approve minutes from August 5, 2019
Motion by Steve Sanzone, Second by Robert Triano- All in Favor

BLOCK 24 LOT 14 – 216 BLAINE AVE – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION & SITE PLAN

Applicants are requesting to subdivide property which is currently a 75'x100' lot, into 3 lots at 25'x100' each. If approved, they are proposing to construct a 3 story single family home on each of the lots, totaling 3 homes. The applicants will be requesting a height variance for each of the houses.

ATTY: MATTHEW HEAGAN, ESQ.

Moonchild Properties, LLC (Brian DiBrino and Dean Rado) appeared to explain that they plan to subdivide this property into 3 lots and build the "same types of houses" as previously approved by the Board on Hiering Ave.

Doug Klee, Planning Board Engineer, stated the lots are conforming, but there is not enough information about a height variance for these projects. Doug told the applicants that he needs site plans and topographical information. He stated the subdivision is easy but the applicants ***DO NEED A HEIGHT VARIANCE.***

The applicants stated that they anticipate a 5 foot height variance. Doug Klee stated that his is the Low Density Residential Zone, so building are required to be shorter. Doug also stated that the houses on Hiering Ave have the backs of the houses as the higher parts of the building. Parking will be deeper and wider. And the setbacks comply with zoning.

Tom Faragalli started that the applicants are doing a very nice job around town with their building projects.

BLOCK 53 LOT 8 – 216-30 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION

Applicants are requesting to subdivide a 16,000 sq. foot lot into 3 conforming lots. The measurement is currently 160'x100'.

ATTY: MATTHEW HEAGAN, ESQ.

Moonchild Properties, LLC (Brian DiBrino and Dean Rado) appeared (without attorney) to explain that they plan to subdivide this property into 3 conforming lots. They will need a height variance. Basically the same scenario as the Blaine Ave. property.

Doug Klee stated that he wants site plan and topographical plans, but all looks good.

BLOCK 58, LOT 1.04 – 1219 BOARDWALK – DANNY MERK- ZONE: RESORT RECREATIONAL-SITE PLAN

The applicant is requesting approval to renovate the Shore Store by removing the dividing wall between the properties (which is a vacant building) to provide for more square footage for retail sales of clothing, gifts, and souvenirs. Applicant is also asking for approval to construct a deck in the back of the building to place air conditioning units and electric meters.

ATTY: ANTHONY PAGANO, ESQ.

Anthony Pagano, Esq. appeared with applicant Danny Merk. Pagano advised that there are 2 adjoining properties with 2 adjoining buildings. The applicant owns 1 property and half of the other. The applicant is requesting approval for cross access. There are 2 separate lots with no plans to merge them together. There is a 2 inch breezeway between the two buildings. The applicant is requesting a cross access easement.

Tom Faragalli asked about doorways. The applicant stated there is a 26' doorway on one side and they will probably install a similar one on the other side.

The applicants also are looking for approval to construct a dock to put their AC units on since they are currently in the basement.

Doug Klee would like more detail in the site/plot plan before the public hearing. He also stated that the applicant will need to cover up the breezeway. The applicants stated that they could incorporate that into the roof.

Frank Santora stated that it seems that the structure could easily be reversed if that became necessary.

Rob Greitz, Esq., Planning Board Attorney stated that Mark Pollara, the owner of the adjoining property, should be present at the meeting regarding the easement. He stated as long as the other property owner is okay with this, then Board will be good with it. Greitz also stated that ***both*** *lots should be included on the application.*

BLOCK 10 LOT 28 – 130-132 DUPONT AVE. – PDM RENTALS, LLC. (MERK)- ZONE: RETAIL BUSINESS- SITE PLAN
Applicant is requesting approval to construct a 2.5 story, 4- family residential building. The applicant is proposing to provide 16 off street parking spaces. There are no variances requested.
ATTY: ANTHONY PAGANO, ESQ.

Anthony Pagano, Esq. appeared with applicant Danny Merk. The applicant is looking for approval to build a 2 and a half story, 4 family residential building. Pagano stated there will be no variances requested. The four units will be full time residents.

Doug Klee stated that he needs ***full*** *site plans and topographical surveys.*

Kenny Roberts, Zoning Officer stated that Dupont Ave. may be one of the roads that have a moratorium due to paving that may not allow them to open the road for a certain period of time and that the applicant should keep this in mind.

A motion was made at approximately 7 pm by Frank Santora to adjourn the meeting, Vito Ferrone Seconded and all members were in favor.

A recording device was unavailable at this meeting. These minutes are based on notes and recollection of Planning Board Secretary.

Submitted by Sherri R. Sieling

MINUTES
Seaside Heights Planning Board
Wednesday, September 25, 2019
6:00 PM
Court Room over Fire House

Opening: 6:00 PM

Roll Call: **PRESENT: FRANK C. GORMAN, CHRIS VAZ, FRANK M. SANTORA, VITO FERRONE, DAVID WITHERSPOON, THOMAS FARAGALLI**
ABSENT: STEVE SANZONE, PETER JARKEZIAN, MICHAEL CARBONE, ROBERT TRIANO, TED SZEJNROK

Motion to approve minutes from September 3, 2019
MOTION BY VITO FERRONE, SECOND BY TOM FARAGALLI- ALL IN FAVOR

Due to a misunderstanding by the Board Secretary the following application was left off of the agenda, but should have been included. The applicant's engineer report/plans were not complete. Anthony Pagano sent out certified notices to the 200' radius list in order to request to carry this application to October 30, 2019.

BLOCK 10 LOT 28 – 130-132 DUPONT AVE. – PDM RENTALS, LLC. (MERK)- ZONE: RETAIL BUSINESS- SITE PLAN
Applicant is requesting approval to construct a 2.5 story, 4- family residential building. The applicant is proposing to provide 16 off street parking spaces. There are no variances requested.
ATTY: ANTHONY PAGANO, ESQ.
As mentioned above, Anthony Pagano requested the Board to carry this application to October 30, 2019. A motion was made by Vito Ferrone to approve carrying it to the new date, second by Chris Vaz. All were in favor.

BLOCK 58, LOT 1.04 – 1219 BOARDWALK – DANNY MERK- ZONE: RESORT RECREATIONAL-SITE PLAN
The applicant is requesting approval to renovate the Shore Store by removing the dividing wall between the properties (which is a vacant building) to provide for more square footage for

retail sales of clothing, gifts, and souvenirs. Applicant is also asking for approval to construct a deck in the back of the building to place air conditioning units and electric meters.
ATTY: ANTHONY PAGANO, ESQ.
PUBLIC HEARING

Anthony Pagano, Esq appeared for the applicant requesting Board approval to renovate the Shore Store by removing the dividing wall between two properties to make it larger.

Engineer, Mark Hockenbury was sworn in to testify to the detail of this application.

Frank Santora said that he had some questions about the ownership of the property before moving on to other things. Anthony Pagano stated that he has an affidavit, marked as exhibit A-1, with the signature of the owner and a managing member of this business and property dated 9/23/19. Santora further questioned if the adjoining owner is on board with this plan and wanted to know if the owners know that there can be a change in the deed if this is approved.

Rob Greitz, Planning Board attorney stated that there are 2 different properties and that there should be clarification as to who owns what and where is it located. Anthony Pagano stated that the owner of the other lot is part of an LLC and signed for Merk to move forward with the project.

Matt Hockenbury stated that Marc Pollaro owns lot 1.04 and Merk is lot 5. The applicant owns store.

Doug Klee stated that if the Board approves this application, there should be a document granting a cross access easement.

Rob Greitz stated that since the secondary owners signed the application that basically says that they approve of the project Danny Merk is planning to undertake. Greitz also stated that there will NEED to be an easement on record. The application is for one property with the subproperty needing the easement.

Anthony Pagano stated that owners of both the properties would have to sign the easement.

Frank Santora commented that both lots are physically and legally involved in this application. The Board understands that the managing partner can sign the application. Santora wanted to know if the board was satisfied with that. Santora stated that he is worried about the legal ramifications that may follow this decision.

Rob Greitz stated that if the Board approves the easement must be signed by BOTH parties and be brought to the Board before any building permits can be issued. There should also be a stipulation that the Board is "held harmless" if the partner does not agree.

Danny Merk was sworn in. Rob Greitz asked Merk if was was a member of the LLC. Merk responded that he was the DMP. When asked if he has an interest in the LLC, Danny Merk replied that Paul Merk (brother) owns 50% of Mark Pollaro LLC.

Frank Santora stated that he felt the record must be preserved and questions need to be asked but those members are not present.

Ken Robert, Code Enforcement was sworn. Roberts stated that both lots should be recorded on the application. Ken has a problem with crossing over 2 other properties to accomplish this project.

Tom Faragalli asked about the 2-25% owners. He wanted to know if they understand that they are giving up an easement.

Anthony Pagano agreed to provide an amended application so that BOTH lots are listed.

Frank Santora said he would not be comfortable unless the cross easement is signed by both properties and it should be reviewed by the Board once drafted and signed.

Hockenbury reviewed the site plan. It is a masonry building (Shore Store). The applicant is seeking approval to expand the store. This property was here on a prior occasion regarding their roof top deck. Hockenbury highlighted that the deck is NOT being expanded or is not any part of the expansion. The doorways will be large openings. There will be no parking on Lot B and 2 parking spaces on Lot A. Hockenbury stated that for the type of building, these parking spots satisfy the off-street parking requirement.

Doug Klee asked Hockenbury if there was ever any on-site parking. According to Hockenbury, there was not. Solid waste and recyclables will be kept in the back of the building as well as all deliveries in the back of the building. On the western side of the building, the applicants plan to build a platform where the HVAC unit will be attached.

Jeffrey Bell, architect was sworn in. He stated that there will be no new exterior architectural elements. They plan to move 2 sections of wall and add a new interior wall.

Frank Santora asked how many square feet are they gaining by doing this. Bell said that existing it is 2000 square feet, project finished, it will be 3,775 sq.ft.

Frank C. Gorman asked if there were any more questions of the Board- there were none.

Doug Klee asked if they would be putting a door in the new wall. Jeffrey Bell said they would not be putting in a door, just open space.

The Chairman Gorman asked if there are any questions from 200' radius or audience. There were no further questions.

A motion was made by Chris Vaz, second by Vito Ferrone to adopt a resolution approving this application with conditions that the applicant must file cross easement signed by both properties, the deck is NOT to be extended, and to update their application with both lots listed.

Votes to adopt a resolution were taken- all were in favor.

At the beginning of the meeting, Mark Schneider, Esq. appeared on behalf of Seaside Ocean Terrace, LLC. He spoke with Rob Greitz very briefly, angry that he was not on the agenda. Since Rob Greitz has a conflict in this application he said that he could not get involved, but knew that this matter was not included on the agenda because Schneider himself, told the conflict attorney, Chad Warnken that he did not publish the legal notice advising of this meeting or send the certified letters to the 200 foot radius list. Chad Warnken was contacted by Chris Vaz, who notified him of what had taken place in the beginning of the meeting.

At 7:15, Chad Warnken came to the meeting to advise the Board members in this situation. Rob Greitz left the meeting immediately after the Merk matter was finished.

Warnken advised the Board that the evening before this meeting, he sent an email to Mark Schneider telling him that he should not go into the Planning Board meeting because he had not noticed in the paper, he is not on the agenda, and that he should follow the proceedings which are to come in to a workshop October 7 and if all is settled to have a public hearing on October 30th with an amended application and request for a variance for parking. Mr. Warnken further explained that he told Schneider that without the publication of the meeting, the Board could not make any decisions or take any action in this matter because it is jurisdictional and without that notice the Board does not have jurisdiction to hear the application. Mr. Warnken is sending a letter to Mr. Schneider that addresses this information and will be supplying the Board with a copy as well.

After the meeting, at the request of the Secretary, we spoke about some problems there have been with the Planning Board process. There have been some applicants that have gotten used to being able to "call the shots" so to speak in terms of when they will attend meetings, how soon they get their applications in, requesting special meetings, etc. All members have agreed to treat all applications the same; each must go to a workshop followed by a public hearing. Applications and the accompanying paperwork must be handed in by applicants in a timely fashion (the latest, 10 days prior to a meeting). This will prevent the professionals and the secretary from having to scramble to get things ready for meetings and it will allow the members to have ample opportunity to review the applications prior to making any decisions. Additionally, Chris Vaz proposed that Steve Zabarsky, Esq. draft a letter to our frequent applicants and their attorneys to explain the procedures so all will follow the rules to make things flow much more smoothly.
All members were in favor to tighten up the rules and handle all applications uniformly.

There was a motion to adjourn the meeting at 7:30 pm- all in favor.

The minutes of this meeting are not verbatim but highlights are included to the best of the secretary's recollection. A recording is available in the Borough Hall.

Submitted by:

Sherri R. Sieling

WORKSHOP MINUTES
Seaside Heights Planning Board
Monday, October 7, 2019
6:00 PM
Court Room over Fire House

Opening: 6:00 pm

Roll Call: **PRESENT: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Robert Triano, Vito Ferrone, David Witherspoon, Thomas Faragalli**
ABSENT: Peter Jarkezian, Ted Szejnrok, Michael Carbone

BLOCK 69 LOTS 1, 1.01 &1.02 – DUPONT AVE. PIER – SEASIDE OCEAN TERRACE, LLC. - ZONE: RESORT RECREATIONAL
Applicants were approved to build 17,000 sq. foot beach bar and banquet facility, a 28,000 sq. ft. pool club, 6 kiosks, and a 6,700 sq. ft. commercial building memorialized in Resolution #2018-08 on March 28, 2018. They are coming before the Board to address the issue of parking to request a variance.
ATTY: MARK SCHNEIDER
Applicants did not attend the meeting.

BLOCK 54 LOT 45- 235 SHERMAN AVE. - WALTER G. KOSENSKI II, INC AND SONS- ZONE: LOW DENSITY RESIDENTIAL-SITE PLAN WITH VARIANCES
Applicant is seeking approval to build a single family home on this 2,000 sq. ft., vacant lot. Applicant states this is a conforming use of the property. They are requesting a variance for side setbacks, which required is 3 feet, they are asking for 1 foot. Additionally, they are asking for a height variance. The height allowed in this zone is 27 feet, they are asking for approval to build their house at 36 feet high. The applicants are proposing that there will be 3 off-street parking spaces.
ATTY: MATT HEAGEN, ESQ.

Matt Heagen appeared with the applicant, Alex Kozenski. The applicant is seeking approval to build a 1 family home and are trying to figure out a way to make the house wider while also being aesthetically pleasing. They will be asking for a 1 foot, side setback.

Doug Klee, Planning Board Engineer said there are no elevations on the drawings he was given. He requested that the applicant provide that information at least 10 days in advance to the next meeting date (October 30, 2019). Doug also said that if the height of the house will exceed 10% of allowable height, the applicant will need to ask for a use variance for the height.

Tom Faragalli asked if the house would be for spec. Alex Kosenski said possibly, or he might move into it.

Chris Vaz mentioned that there is a fence behind the property. One foot is not very wide, if it becomes necessary to fight a fire. Chris asked if they could push the building to the middle of the lot. Alex Kosenski stated that there are no buildings nextdoor so the firefighters could work from there.

Kenny Roberts stated that they will need fire rated windows or shutters on the other side of the house.

Matt Heagen said they have been looking for 2 extra feet of space to comply with the 3 foot setback but it takes away space from the house. The applicants were asked if there would only be windows on one side. They said yes, for fire rating.

Rob Greitz, Planning Board Atty. Stated if there are no windows on the other side, then leave the drawings the way they are now.

Doug Klee stated to finalize their application they will need height specifications.

Schedule for October 30, 2019 Public Hearing

BLOCK 24 LOT 14 – 216 BLAINE AVE – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION & SITE PLAN
Applicants are requesting to subdivide property which is currently a 75'x100' lot, into 3 lots at 25'x100' each. If approved, they are proposing to construct a 3 story single family home on each of the lots, totaling 3 homes. The applicants will be requesting a height variance for each of the houses to build them at 37 feet above BFE.
ATTY: MATTHEW HEAGEN, ESQ.
PUBLIC HEARING

Matt Heagen, Esq. appeared on behalf of the applicants.
Heagen stated that the applicant is asking to subdivide the property for 3 lots, all conforming to build single family homes that are the same as other homes they have built around town. They are also asking for the same use variance for height.

Brian DiBrino of Moon Child Properties, LLC (Applicant) was sworn in.

Matt Heagen asked the following questions of the applicant:

Q: Are you requesting a variance for the foot print of the project?
A: No, we are only requesting a variance for the height of the house.

Q: Is the use consistent with the zoning of this property?
A: Yes it is.

Q: Is the project harmonious with the surrounding areas?
A: Yes

*A member of the Board asked about the deck on the house, how will it be situated? DiBrino stated that the deck will be on the 3rd floor to the rear of the house. DiBrino also stated that they will be are requesting to subdivide the property into **3-** 25 X 100 foot lots.*

Doug Klee commented that the side yards of these houses will be in excess of the zoning requirement.

Chairman Frank C. Gorman asked if there were any questions or comments from the 200' Radius List.

Art Fiero, 211 Blaine Ave. was sworn in. He stated that he approved of the application and has no objection to the height increase. Art Fiero, a long standing resident of Seaside Heights and past Planning Board Member gave a historic fact that 1979 was the first time the Board passed a Master Plan. At that time, they made a low rise residential zone so that people wouldn't put apartments in their attics for rental units.

A motion was made to adopt a resolution to approve this application by Robert Triano, second by Vito Ferrone.

Voting resulted in the following yes votes:
Robert Triano, Vito Ferrone, Frank C. Gorman, Steve Sanzon, David Witherspoon, and Thomas Faragalli
As this was a Use Variance, Planning Board Members Chris Vaz and Frank Santora were excluded from voting.

BLOCK 53 LOT 8 – 216-30 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION & SITE PLAN (Phase 1)

Applicants are requesting to subdivide a 16,000 sq. foot lot into 3 conforming/buildable lots. The measurement is currently 160'x100'. Two of the lots will be 26.66 x 100 feet and one of the lots will be 106.68 x 100 feet. The applicants will be requesting a height variance for each of the houses to build them at 37 feet above BFE.

ATTY: MATTHEW HEAGAN, ESQ.

PUBLIC HEARING

Matt Heagen appeared with the applicant. He stated, like the other applications, this application has gone to workshop. They are applying for a minor subdivision to create 3 lots which would create 8.01 and 8.02.

Rob Greitz, Esq. stated this is the formal hearing for this application and swore in Brian DiBrino of Moon Child Properties, LLC.

Matt Heagen asked the following questions to DiBrino:

Q: Are you requesting a subdivision of this property into 3 lots?
A: Yes, they will each be 26.6 X 108 foot lots.

Q: Do they comply with the zoning of this area?
A: Yes they do.

Q: What is the height variance you are seeking?
A: We would like the house to be 37 feet above the BFE.

Q: Moon Child Properties is currently involved in other projects around town. Is this project consistent with the Master Plan?
A: Yes, we are building residential homes.

Q: Is this project a detriment to the surrounding areas?
A: No it is not.

Q: Why are you asking for a height variance?
A: The design of the home has a room on the very top of the house that brings it over the height maximum.

Vito Ferrone asked what percentage of the building is higher? DiBrino replied that about 25% is what will be making the building exceed the height requirement and it will be located in the back of the building.

Frank Santora asked Doug Klee, Planning Board Engineer if the applicants had to request a height variance because they will be exceeding 10% of the height limit. Klee stated that is why.

Doug Klee commented that based on the plans he has, that show 2 proposed lots with side yard setbacks of 4.3 feet will make the setbacks 1.3 feet in excess of what is required.

Frank C. Gorman, Chairman, asked if there were any questions from the Board. None
Any from 200' Radius or the audience? There were none.
Frank C. Gorman commented to MoonChild Properties, LLC that they are doing a great job in Seaside Heights and to keep up the good work.

BLOCK 53 LOT 8.03 – 220 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL- SUBDIVISION (Phase 2)
Applicants are requesting to subdivide the remaining portion of property (216-30 Sherman Ave) Lot 8.03 further into 3 buildable lots with future plans to build new, single family homes. 2 of the lots, **proposed** lots 8.04 & 8.05 will each be 2,660 sq. ft. and **proposed** lot 8.06 will be 5,320 sq. feet on their application, but shows 5,336 sq.ft. on their survey.
ATTY: MATTHEW HEAGEN, ESQ.
WORKSHOP

Matt Heagen appeared with applicant, Brian DiBrino. They would like to subdivide this property into two more 26.6 foot lots. They will be building the same structures, if approved. After the subdivision there will be one more large lot.

Brian DiBrino stated that they would like to subdivide the properties in stages as they sell homes.

Tom Faragalli asked if there will be another 2 houses? Brian DiBrino said they hope so as that is the plan.

Board felt that this could be ready to list for Public Hearing on October 30, 2019.

WORKSHOP MINUTES
Seaside Heights Planning Board
Monday, November 4, 2019
6:00 PM
Court Room over Fire House

Opening: **6:00 CHAIRMAN FRANK C. GORMAN**

Roll Call: **PRESENT: Frank C. Gorman, Steve Sanzone, Michael Carbone, Robert Triano, David Witherspoon, Ted Szejnrok, Thomas Faragalli**
ABSENT: Chris Vaz, Frank M. Santora, Peter Jarkezian , Vito Ferrone

BL. 69 LOT 35 & 35.01 – BOARDWALK-OCEANSIDE- SHORE, LLC. – ZONE RESORT RECREATIONAL – SITE PLAN WITH VARIANCES
*Currently this property is a vacant pier. The applicant proposes to utilize this property as boardwalk amusements. There is a cross easement with the municipality on this property. The applicants would like to mimic the development to the south of the property. The applicant will be asking for the following variances:
FRONT SETBACK: Where a 10 foot setback is required applicant is proposing a 0 foot setback.
SIDE SETBACK: On the left side of the property, the applicant is asking for a 0 foot setback, wherein there needs to be a 3 foot setback.*
****The above is the original application from a workshop on May 6, 2019****
The applicants are appearing today with a revised application, based on comments/suggestions from the Board Members at the May 6, 2019 meeting.
The proposed use of this project is to construct a fine dining restaurant. They will be seeking a variance for parking.
ATTY: MARK A. SCHNEIDER, ESQ.

Mark Schneider, Esq. appeared on behalf of the applicants. He stated that they are back with plans based on comments made at the May 6, 2019 meeting. At that time, the Board had comments hoping that the applicants would construct something more traditional than the prefabricated container units they were proposing.

Schneider explained that the applicant will be requesting variances for parking, left side setbacks, front yard setbacks, and "probably" height, which may be 3 feet higher than that is allowed. In order to build on the existing deck, which is slightly off measurement (not exactly

square), the owner, Peterson, had to get an easement. The application is for the boardwalk and the east side, to build a 2 story restaurant.

Matt Wilder, of Morgan Engineering, for the applicant, stated that the pier has a "wonky" construction. This project will not encroach into other property. Applicants are requesting 0 setbacks in the front of the project, where 10 feet is required. Regarding the height variance, the applicants need to confirm the height of the curbs. Wilder explained that the foot print of the project is similar to that brought in on a prior occasion, but tailored the plans more in line with what the Board is seeking.

The applicant's architect stated there will be a side entrance to get into the restaurant. It will be an open air establishment with all 3 sides open, giving an easterly view. The boardwalk side will also have a seating area and there will be a roof top observation deck.

Chairman Gorman asked if there are any questions.

Doug Klee, Planning Board Engineer asked if Mark Schneider read the agreement between the Borough of Seaside Heights and Peterson. Schneider stated there will be limited access to the easement area.

Rob Greitz, Planning Board Attorney said that there are renderings of plantings on the plans in the easement area. He stated that they would have to be eliminated.

Ken Roberts, Code Enforcement Officer said there needs to be access to the beach in case of emergencies. He also stated that if they will be utilizing the beach area with this project, there will need to be a fence around that designated beach area.

Applicants stated that there will be no entertainment on the beach, but people will be able to walk down to the beach.

Frank C. Gorman stated that he sees a bridge shown on the plans connecting the two properties (lots 35 & 35.01 to lots 1, 1.01, & 1.02). Mark Schneider stated that the bridge is not currently part of this application, since there are 2 separate owners; 2 separate entities. Doug Klee asked that the bridge be removed from the plans.

Doug Klee asked how people will get down to the beach. There will be stairs down the back to the beach. Doug Klee stated that the plans will need to be revised to include/show that.

Other concerns by Board members:
Where will solid waste go?-Solid waste storage should be on the plans.
There should be hurricane code garage doors.

Fire sprinklers need to be shown in the plans and included in the project.
The stairs to the beach cannot be on town property.
There is to be no seating on the observation deck.
Do they need to go to CAFRA?

A major concern throughout most of the meetings, by Board members, including this one is that the applicants need to go before the Mayor and Council to show the plans, to discuss liquor licensing, and concerns they may have about the establishment.

BLOCK 24 LOT 14 – 216 BLAINE AVE – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION & SITE PLAN
Applicants are requesting to subdivide property which is currently a 75'x100' lot, into 3 lots at 25'x100' each. If approved, they are proposing to construct a 3 story single family home on each of the lots, totaling 3 homes. The applicants will be requesting a height variance for each of the houses to build them at 37 feet above BFE.
ATTY: MATTHEW HEAGAN, ESQ.
MEMORIALIZE RESOLUTION 2019-16
A motion to approve the above resolution was made by Robert Triano, Second by Steve Sanzone. Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

BLOCK 53 LOT 8 – 216-30 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL – SUBDIVISION & SITE PLAN PHASE 1
Applicants are requesting to subdivide a 16,000 sq. foot lot into 3 conforming/buildable lots. The measurement is currently 160'x100'. Two of the lots will be 26.66 x 100 feet and one of the lots will be 106.68 x 100 feet. The applicants will be requesting a height variance for each of the houses to build them at 37 feet above BFE.
ATTY: MATTHEW HEAGAN, ESQ.
MEMORIALIZE RESOLUTION 2019-17
A motion to approve the above resolution was made by Steve Sanzone, Second by Robert Triano. Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

BLOCK 53 LOT 8.03 – 220 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL- SUBDIVISION & SITE PLAN APPROVAL WITH USE VARIANCES (Phase 2)
Applicants are requesting to subdivide the remaining portion of property (216-30 Sherman Ave) Lot 8.03 further into 3 buildable lots with future plans to build new, single family homes. 2 of

the lots, **proposed** lots 8.04 & 8.05 will each be 2,660 sq. ft. and **proposed** lot 8.06 will be 5,320 sq. feet on their application, but shows 5,336 sq.ft. on their survey. The applicants are also requesting a use variance to build the houses 37 feet above the BFE.

ATTY: MATTHEW HEAGEN

MEMORIALIZE RESOLUTION 2019-18

A motion to approve the above resolution was made by Robert Triano, Second by Steve Sanzone. Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

BLOCK 53 LOT 8.06 - 216-230 SHERMAN AVE. – MOONCHILD PROPERTIES, LLC – ZONE: LOW DENSITY RESIDENTIAL- SUBDIVISION & SITE PLAN APPROVAL WITH USE VARIANCES (Phase 3)

Applicants are requesting to subdivide the remaining portion of property (216-30 Sherman Ave) Lot 8.06 into 2 buildable lots with future plans to build new, 2 single family homes. The 2 lots, **proposed** lots 8.07 & 8.08 will each be 26.68 x100 feet. The applicants are also requesting a use variance to build the houses 37 feet above the BFE.

ATTY: MATTHEW HEAGEN

MEMORIALIZE RESOLUTION 2019-19

A motion to approve the above resolution was made by Tom Faragalli, Second by Robert Triano Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

BLOCK 54 LOT 45- 235 SHERMAN AVE. - WALTER G. KOSENSKI II, INC AND SONS- ZONE: LOW DENSITY RESIDENTIAL-SITE PLAN WITH VARIANCES

Applicant is seeking approval to build a single family home on this 2,000 sq. ft., vacant lot. Applicant states this is a conforming use of the property. They are requesting a variance for side setbacks, which required is 3 feet, they are asking for 1 foot. Additionally, they are asking for a height variance. The height allowed in this zone is 27 feet, they are asking for approval to build their house at 36 feet high. The applicants are proposing that there will be 3 off-street parking spaces.

ATTY: MATT HEAGEN, ESQ.

MEMORIALIZE RESOLUTION # 2019-20

A motion to approve the above resolution was made by Tom Faragalli, Second by Steve Sanzone. Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

BL. 4 LOT 25 & 27 – 227 HAMILTON AVE. – HENRY SISBARRO, JR. – ZONE RESIDENTIAL BUSINESS

Minor Site Plan

**Applicant is requesting to construct 2 buildings on this empty lot which will house 4 families in 4 separate units. The lot is 50x100 feet. Applicant is planning to provide 8 on-site parking spaces for occupants.

MEMORIALIZE RESOLUTION 2018-10**

The above was done in 2018. Currently, there is a new owner of the property, they are requesting an extension.

Anthony Pagano, Esq. would like the Board to discuss this property, since there is a new owner, RJK Construction, LLC. RJK Construction purchased this property one month after the resolution had been passed. Please refer to the letter from Anthony Pagano, dated October 9, 2019 requesting an extension to review issues which are addressed in same.

MEMORIALIZE RESOLUTION 2019-21

A motion to approve the above resolution was made by Steve Sanzone, Second by Robert Triano. Yes votes: Robert Triano, Steve Sanzone, Frank C. Gorman, David Witherspoon, Tom Faragalli.

A motion was made by Robert Triano, Second by Steve Sanzone to adjourn the meeting at 6:45 pm. All in favor.

These minutes are not verbatim, however, there is a recording available in the Seaside Heights Borough Hall.

Submitted by Sherri R. Sieling
Planning Board Secretary

MINUTES
OF
SPECIAL MEETING
Seaside Heights Planning Board
Monday, December 16, 2019
6:00 PM
Court Room over Fire House

Opening: ***6:00 by Frank C. Gorman***

Roll Call: ***PRESENT: Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Peter Jarkezian, Robert Triano, Vito Ferrone, David Witherspoon, Ted Szejnrok, Thomas Faragalli***
ABSENT: Michael Carbone
***Chad Warnken, Esq. appeared as conflict attorney for the Seaside Heights Planning Board.**

BLOCK 69 LOTS 1, 1.01 &1.02 – DUPONT AVE. PIER – SEASIDE OCEAN TERRACE, LLC. - ZONE: RESORT RECREATIONAL
Applicants were approved to build 17,000 sq. foot beach bar and banquet facility, a 28,000 sq. ft. pool club, 6 kiosks, and a 6,700 sq. ft. commercial building memorialized in Resolution #2018-08 on March 28, 2018. They are coming before the Board to address the issue of parking to request a variance.
ATTY: MARK SCHNEIDER

Attorney Mark Schneider appeared on behalf of the applicants' Seaside Ocean Terrace, LLC. Schneider advised the Board that Seaside Ocean Terrace, LLC are now the owners of the property to be discussed. Mr. Schneider stated that the applicants were there for a height variance and to relocate a kiosk (construction previously approved). He also stated that the applicants have no objection to withdrawing the height variance if the Board will not approve the increased height.

Matt Wilder of Morgan Engineering was sworn in and qualified as an expert.
He started out stating that in March of 2018 the applicants were granted preliminary and final site plan approval for construction to be done in Phase I, Phase II, and temporary Phase III.

Presently, according to Wilder they are seeking to amend the site plan by eliminating Phase I (temporary restaurant), keep the approval for 6 kiosks (of which 5 are currently built), and to change the location of the swimming pool.

Working from west to east, Wilder detailed the project.

- *Dirt Parking Area- there will be no stripes marking the spaces, this was to illustrate that there are 40 parking spaces available.*
- *Southern side of parking area- there will be garbage storage facilities.*

*Using **Site Plan from 10/23 19 last revised 11/6/19 marked EXHIBIT A-1***
The plans show a staircase in the center of the parking area.
Moving east, the plans show the 6 kiosks and the applicants would like to increase the spacing between the kiosks. One of the 6 kiosks will be constructed as public restrooms and will be run and maintained by the business at this location.

Doug Klee, Planning Board Engineer stated that there are inconsistencies between the Engineer's plans (Matt Wilder) and the Architect's plans and if this is approved, he would like to see this cleaned up and clarified.

Wilder explained that the cabanas are changing in that on the south side of the pool they will be 2 stories high fitted with electric, water/ sewer, and on the north side of the pool the cabanas will be 1 story high with only electricity. Wilder said the applicants will be decking the entire parcel of land. On the north side of the construction there will be access to the pool with badges, on the south side there will be handicap access with "Moby Mats" and beach wheel chairs that can give wheel chair bound patrons much more flexibility and access to the beach and ocean. This will be a separate entrance. There will be a cabana on the east side which will be the restaurant service area. There will be daily lounge chair rentals and the service area will be where servers can access food and alcohol/drinks for patrons.

Aerial Exhibit 11/14/19-Morgan Engineering showing photos depicting this area from 1920 to 2012 marked EXHIBIT A-2
Wilder showed that from 1963-2012 development stayed the same. The 2012 photo shows there was a building, since gone due to Superstorm Sandy, which is now the parking lot. The applicants are proposing 40 parking spaces where 198 are necessary. He said that the Board should take that into consideration that originally there was a building and no parking spaces available. Parking calculations: Pool 1 space per 500 sq. ft. Beach Bar 1 space per 100 sq. ft.

Planning Board Vice Chairman, Steve Sanzone asked about the total occupancy. Wilder responded that the max for the Beach Club is 750 people and he does not know exact number for the pool.

Vito Ferrone, Planning Board Member said the square footage of the swimming pool looks like it changed from the first plans. Matt Wilder stated that the pool is a bit smaller now at 16,270 sq. ft. Beach Club includes the pool number.

Planning Board Member Robert Triano asked if there are going to be 2 bars. Mark Schneider said that there will be one bar and a temporary Tiki Hut. All the food and alcohol distribution *will be coming from the restaurant/bar. He said that where it shows on the plans "bars" should be identified as "service areas". Doug Klee pointed out that on the plans, there are chairs drawn in front of the bar. Matt Wilder said those chairs will be removed and plans will be revised to show service bar, not regular bar.*

Chad Warken told the applicants that they ***must converse with Doug Klee*** *to be sure that all the plans are in conformance with the Board's stipulations.*

Klee asked about the width of the cabanas. Wilder stated that they are 8 feet wide. Doug said that 4 cabanas will be 32 feet wide ***plus*** *a service bar. Robert Triano asked the applicants, to be sure, is* ***everything*** *food, alcohol, etc coming from the restaurant? Wilder answered, that yes, it will all be distributed to service areas to help the wait staff expedite food service. In addition, he stated that outside of the Beach Club, everything will be funneled through the restaurant.*

Dave Witherspoon, Planning Board Member stated that the kitchen seems very small for servicing all the patrons of the pool and restaurant. Matt Wilder said that the architect will be addressing that question/issue.

Chris Vaz, Planning Board Member said that the bars are 6 times the size of the restaurant. He stated that this is causing concern for all of the Planning Board as in how do you define this as a ***"restaurant".*** *Wilder stated that the Beach Club is the restaurant. Frank C. Gorman, Chairman of the Planning Board said that all he sees is a DJ Booth.*

Chris Vaz asked for some clarification on how this will work procedurally today, since there were prior approvals. Chad Warnken stated that the plans that were previously approved are still valid. Today, the applicants are asking for modifications to the approved plan. If the modifications they are requesting today, do not get approved, they can still construct the originally approved plans. Vaz stated that the original application does not have a use variance and must comply with the ordinance- ***the plans need to be a restaurant.***

Doug Klee said that this application is being called an amended application, but he feels that this is a totally new application. Mark Schneider stated that the Beach Club is the constant in the applications/plans.

Major considerations/concerns by the Board discussed:
**Applicant MUST build and operate as a restaurant. Under zoning ordinance, the primary purpose MUST be food.*
**Concerns that the Beach Club is a nightclub and NOT a restaurant.*
**Board feels that the DJ booth at the Pool Club should be eliminated.*
**When the banquet hall is not being used for banquets the space should be closed. Also music only to be played upstairs when there is a banquet being held.*

** Board is struggling with the size of the kitchen and how will it accommodate food service to the maximum capacity of the facility.*
** With a venue of 750 max capacity, what will make the parking exclusive to this business? Should people have to pay to park if they are going to patronize the business?*
** Board does not feel that the location of the garbage storage is the best location. There will be a condition that they have to work with Doug Klee to address this issue.*
** Board wants to know if the pool club shuts down at a certain time. Members feel this could be a family facility or it could turn into something like a wild night club with activities that are not in line with the family atmosphere the town would like to project.*
**Concerned about the safety of the people on the private beach area and feel there should be lifeguards and security guards on premises, hired by the business.*

*Warnken stated that it is the Board's prerogative to make any conditions of approval they deem important/necessary. He explained that the zoning for this property is Resort Recreational. Allowed in this zone are: restaurants, taverns, bars, nightclubs and entertainment **incidental to food.** He also said that a pool is non-mechanical entertainment which is a permitted use in that zone.*

Regarding safety issues, the applicants stated that the beach will be fenced in, which will be the paid beach area. The applicants had discussions with the Army Corps of Engineers about the fencing. The applicants were told that they should use temporary fencing that can be moved in significantly inclement weather which should be 5 feet high, made of black aluminum. Applicants also intend to fence in behind the pier. There will be double swing gates for the handicapped access.

Matt Wilder detailed the variances the applicants are asking for:
PARKING- Where 198 spaces are required, they are proposing 40 spaces.
FRONT YARD SETBACK- asking for .07 feet setback where 10 feet are required.

***EXHIBIT A-3 - 11/14/19 PARKING EXHIBIT** marked into evidence.*
Study of parking spaces from Franklin Ave. Seaside Heights to Stockton Ave. Seaside Park including lots 2 blocks north and south of site of application detailing that there are 600 parking spaces.

With regard to the parking variance, the applicants are asking for a C-1 variance (Hardship) stating that if there is strict adherence by the Planning Board to the ordinance, it would create a hardship for the property owners/applicants.

C-2 Variance Kiosk Set-back. The applicants feel that there would be no detriment or adverse effects to the area if this variance is approved.

Applicants feel that they are adding positivity to the community with their project by inclusion of the handicapped accessibility, giving public restrooms, and making a unique mix of uses on this property.

***EXHIBIT A-4, RENDERING BOOK, DATED 12/5/2019, WITH ARCHITECTURAL RENDERINGS FOR DEVELOPMENT** marked into evidence.*

Matt Wilder stated that the book will show their vision of the finished project and believes that this is in compliance with the town's plan for businesses on the boardwalk that are more diverse and unique that may increase the usage beyond that, which is currently seasonal. He feels that this project will preserve a historic district, re-envision Ocean Terrace, revitalize the boardwalk and overall be a boon to the Borough of Seaside Heights.

Mark Schneider asked Matt Wilder if the positive aspects of this project outweigh the negative. Wilder responded that they do.
Wilder's testimony ended. There were no further questions of the board, members of the audience or the 200' radius.

Mark Schneider asked the following 2 exhibits to be marked:
EXHIBIT A-5 OCTOBER 27, 2017 LETTER OF ENDORSEMENT BY DANA LANCELOTTI OF THE OCEAN COUNTY TOURISM AND BUSINESS ADVISORY COUNCIL.
Chad Warnken, Esq. stated that this letter can only be used for informational purposes, since the author of the letter was not present to be questioned.

EXHIBIT A-6 LETTER BY MAYOR ANTHONY VAZ
This letter was written by Mayor Vaz endorsing the applicant's project after March of 2018, submitted when the applicants applied for CAFRA approval.

Jason Hanrahan (sp?), Architect and owner of Mode Architects was sworn in. He stated that he would be explaining the minor changes to the architectural designs.

Marked into evidence to be used by Jason Hanrahan.
EXHIBIT A-7 RENDERING OF WEST ENTRY TO MAIN BEACH CLUB BUILDING.
There is a change from the original plans that shows 3 peaks on the building instead of 4.

EXHIBIT A-8 RENDERING AERIAL VIEW OF WEST SIDE OF WHOLE COMPLEX .
This exhibit shows that the cabanas on one side are 2-stories high.

EXHIBIT A-9 RENDERING AERIAL OF EAST SIDE.
This rendering shows 2-story cabanas on south side of the pool and single story cabanas on the north side.

Jason Hanrahan testified that for the Beach Club, he and the applicants worked with kitchen designers from Johnson Restaurant Supply. The kitchen layout is based on the type of food that will be served and the occupancy of the establishment. Hanrahn stated that he did not know specifics of the menu but mentioned possibly pizza and sushi.

EXHIBIT A-10 "A III – SHOWING KITCHEN AND SUSHI BAR AREA.

The kitchen is designed to be 14 feet wide, linear, with double-sided flow. 750 max capacity is included in the banquet facility, but may not always be full. The kitchen will prep ready-to-go foods for the pool area.

That was all the testimony of Jason Hanrahan.
No questions by the Board, 200' radius or the public.

The Board decided to break the votes up into 3 parts; the two variances and the amended site plan, each to be voted on separately.

PARKING VARIANCE
A motion was made by Chris Vaz, second by, Robert Triano to adopt a resolution for the parking variance to allow 40 parking spaces with the following conditions:
-Modify the plans to change "bars" to "service bars" for the service of food and beverages by wait staff. The public cannot go up to one of the "service bars" and order food or drink, it must be done through a server.
-The second floor of the Beach Club can ***only*** *be used for banquet facilities or overflow restaurant seating.*
*-**There will be no nightclub functions whatsoever.***
-Parking area must have signage that states parking for patrons of the Beach Club only.

Yes votes: Chris Vaz, Robert Triano, Frank C. Gorman, Steve Sanzone, Frank M. Santora, Peter Jarkezian, Vito Ferrone, David Witherspoon.

CHANGE IN KIOSK LOCATION AND FRONT SETBACK TO .7 FEET OFF OF NORTHERN PROPERTY LINE WHERE A 10 FOOT SETBACK IS REQUIRED.
A motion was made by Robert Triano, second by Vito Ferrone to adopt a resolution for the above variance with the following conditions:
-Public restrooms can be slid over to relocate them to accommodate for circulation of patrons and the public using the bathrooms.
-Restrooms to be maintained and operated by the business owners.
-Restrooms to remain open during operational hours of the business.

Yes votes: Robert Triano, Vito Ferrone, Frank C. Gorman, Steve Sanzone, Chris Vaz, Frank M. Santora, Peter Jarkezian, David Witherspoon

AMENDED SITE PLAN APPROVAL FOR PHASE I AND PHASE II WHICH ELIMINATES THE TEMPORARY RESTAURANT APPROVED IN MARCH 2018, RELOCATES THE CABANAS SURROUNDING THE SWIMMING POOL, CONSTRUCTS THE CABANAS ON THE SOUTH SIDE AS 2-STORIES HIGH FITTED WITH ELECTRIC, WATER AND SEWER, CONSTRUCT THE CABANAS ON THE NORTH SIDE AS 1-STORY WITH ELECTRICITY, CHANGE THE LOCATION OF THE POOL.
A motion was made to adopt a resolution for amended site plans by Steve Sanzone, second by Vito Ferrone with the following conditions:
-Must comply with all the details in Doug Klee, Engineer's letter.
-Any modifications must comply with the other 2 variances
-The business must provide Lifeguards and Security guards at their cost and responsibility.
-Work cooperatively with Doug Klee to develop a plan for holding trash.
-Bound by any modifications made by the Board or the Doug Klee, Engineer.

Yes votes: Steve Sanzone, Vito Ferrone, Frank C. Gorman, Frank M. Santora, Peter Jarkezian, Vito Ferrone, Robert Triano, David Witherspoon

No votes: Chris Vaz

A motion to adjourn the meeting was made by Robert Triano at approximately 8:47pm

These minutes are not verbatim. There is a recording available with the Planning Board Secretary in the Borough of Seaside Heights.

Submitted by:

Sherri Sieling