

SEA GIRT PLANNING/ZONING BOARD  
REGULAR MEETING  
WEDNESDAY, APRIL 20, 2022

The Regular Meeting of the Sea Girt Planning Board was held on Wednesday, April 20, 2022 at 7:00 p.m. virtually. In compliance with the Open Public Meetings Act, notice of this Body's meeting had been sent to the official newspapers of the Board and the Borough Clerk, fixing the time and place of all hearings. A Salute to the Flag was done, then the following roll call:

Present: Councilwoman Diane Anthony, Karen Brisben, Tom Britt, Jake Casey, Mayor Don Fetzer, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

Absent: Carla Abrahamson

Kevin Kennedy, Board Attorney, Peter Avakian, Board Engineer were also present and Board Secretary Karen Brisben recorded the Minutes. Chairman Hall announced that the Board does now have a full Ordinance Review Committee and this will be discussed later after tonight's application is heard.

He then opened the meeting for comments or questions from the public for any matter other than what is being heard this evening or any pending applications and there was no response. Chairman Hall then asked for a motion to approve the Minutes of March 16, 2022 and, as no changes were requested, Mrs. Laszlo made a motion for approval, this seconded by Mr. Walker and unanimously approved, all aye.

OLD BUSINESS:

The Board turned to the approval of a Resolution for a Minor Subdivision for Block 33, Lot 13, 210 Washington Boulevard, owned by RJD Homes, LLC, for a Minor Subdivision creating two conforming lots.

Before starting this, Mr. Kennedy made the announcement that the notice for this Board meeting did have the login information posted and, therefore, this is a lawfully held meeting where the public can participate. Mrs. Brisben gave her email, [kbrisben@seagirtboro.com](mailto:kbrisben@seagirtboro.com) if someone was having a problem logging on. Chairman Hall added the information that the Planning/Zoning Board was going live starting their July meeting, going back to meeting in the Elementary School auditorium at 7:00 p.m.

Mr. Kennedy then discussed the Minor Subdivision Resolution and confirmed it is a variance free subdivision, the only conditions were to comply with the Leon Avakian's review memorandum, compliance with the Subdivision Committee review memorandum, the applicant will have the sidewalk & driveway repaired as necessary, approval from Monmouth County prior to perfecting the subdivision, drywells to be installed, compliance with any tree preservation Ordinance and no trees will be removed

in violation of the Ordinance, the utilities will be placed underground, the driveway apron will be no more than 13 feet, confirmation that the trees in the rear of the property will be preserved as represented during the public hearing, revised plans will need to be submitted and the revisions will be reviewed by the Construction Department as part of the approval process. The following was then presented to the Board:

**WHEREAS**, representatives of RJD Custom Homes, LLC and 316 Trenton Blvd., LLC have made Application to the Sea Girt Planning Board for the property designated as Block 33, Lot 13, commonly known as 210 Washington Boulevard, Sea Girt, NJ, within the Borough's District 1, East Single-Family Zone, for the following approval:

- Minor Subdivision Approval; and

#### **PUBLIC HEARING**

**WHEREAS**, the Board held a remote Public Hearing on March 16, 2022, Applicants having filed proper Proof of Service and Publication in accordance with Statutory and Ordinance Requirements; and

#### **EVIDENCE / EXHIBITS**

**WHEREAS**, at the said Hearing, the Board reviewed, considered, and analyzed the following:

- *Planning Board Application Package, introduced into Evidence as A-1;*
- *Minor Subdivision Plan, prepared by R. C. Associates Consulting, Inc., dated January 10, 2022, consisting of 1 sheet, introduced into evidence as A-2 (The said plan was also prepared by Charles Surmonte, PE, and PLS, which was not signed and sealed.);*
- *Survey of the property prepared by Charles Surmonte, PE and PLS, dated December 14, 2021, introduced into evidence as A-3;*
- *Leon S. Avakian, Inc. Review Memorandum, dated February 10, 2022, introduced into Evidence as A-4;*

- *Memorandum to the Borough Tax Assessor dated February 16, 2022, with hand-written response set forth thereon, introduced into evidence as A-5;*
  - *Review memorandum from the Minor Subdivision Committee of the Sea Girt Planning Board, dated, February 16, 2022 , introduced into evidence as A-6;*
- Pictures of the subject property, collectively introduced into evidence as A-7;*
- *Affidavit of Service; and*
  - *Affidavit of Publication.*

### **WITNESSES**

**WHEREAS**, sworn testimony in support of the Application was presented by the following:

- William Merunka, PE;
- Wayne Dryer, Representative of the LLC Applicants;
- Michael Rubino, Jr, Esq. appearing;

### **TESTIMONY AND EVIDENCE PRESENTED**

**WHEREAS**, testimony and other evidence presented by the representatives of the Applicants revealed the following:

- The subject property is owned by RJD Custom Homes, LLC and 316 Trenton Blvd, LLC.
- The subject property (i.e. Mother Lot) contains 16,000 SF.
- The subject property contains an existing single-family home, and other site improvements.
- The Applicants propose to effectuate the following:
  - Demolition of the existing structure on the site;
  - Subdivision of the Mother Lot into 2 Lots; and
  - Construction of a new single-family home on each of the 2 new Lots.

- The single-family use, as proposed herein, is a permitted use.
- As indicated, the Applicants' representatives are proposing to subdivide the subject property into 2 single-family Lots; namely, proposed Lot 13.01, proposed Lot 13.02.
- It is anticipated that proposed lot 13.01 will have an address of 210 Washington Boulevard, and that proposed lot 13.02 will have an address of 208 Washington Boulevard.
- Details pertaining to the proposed Lots include the following:

**PROPOSED LOT 13.01**

Minimum Required Lot Area:	7,500 SF	
Proposed Lot Area:	8,000 SF	
Proposed Use:	New	single-family home

**PROPOSED LOT 13.02**

Minimum Required Lot Area:	7,500 SF	
Proposed Lot Area:	8,000 SF	
Proposed Use:	New	single-family home

- As referenced, both Lots will ultimately host a conforming (i.e. Variance-free) single-family home.
- The Applicants will attempt, in good faith, to preserve as many trees on the site as possible.
- The existing tree in the Right-of-way will remain.
- The Applicants representatives will replace utilities as the site.

**VARIANCE**

**WHEREAS**, the Application as presented does not require approval for any Variances; and

**PUBLIC COMMENTS**

**WHEREAS**, no members of the public expressed any questions, comments, and / or statements in connection with the Application:

## FINDINGS OF FACT

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Board of the Borough of Sea Girt, after having considered the aforementioned Application, plans, evidence, and testimony, that the Application is hereby **approved / granted with conditions**.

In support of its decision, the Planning Board makes the following Findings of Fact and Conclusions of Law:

1. The Sea Girt Planning Board has proper jurisdiction to hear the within matter.
2. The subject property is located at 210 Washington Boulevard, Sea Girt, NJ, within the Borough's District 1, East Single-Family Zone. (The subject property (i.e. the mother Lot) is located on the south side of Washington Boulevard, between Second Avenue and Third Avenue.)
3. The subject site (i.e. the Mother Lot) currently contains 16,000 SF.
4. The Applicant proposes to demolish the existing structures and to subdivide the property into 2 Lots; namely, proposed Lot 13.01 and proposed Lot 13.02.
5. Such a proposal requires Minor Subdivision Approval.
6. There are no Variances associated with the within proposal.
7. Each of the new Lots created hereunder will ultimately host a new single-family home.
8. Single-family homes are permitted uses in the subject Zone.

9. The single-family homes to ultimately be constructed on the Lots will comply with all Prevailing Bulk Requirements. That is, and as indicated, there are no Variances required in connection with the within Application.

10. The newly created Lot Sizes will comply with all Prevailing Lot Area Requirements.

11. The subject property has an existing non-conforming Side Yard Setback. However, in conjunction with the demolition of the existing structure, and the ultimate Subdivision of the property, the aforesaid non-conforming condition will be eliminated.

12. Sufficient parking spaces will be provided on each new lot created hereunder.

13. There was no known public opposition associated with the Application.

14. Subject to the conditions contained herein, and subject to any necessary waivers, the Application as presented satisfies the Minor Subdivision Requirements of the Borough of Sea Girt.

15. Based upon the above, and subject to the conditions contained herein, the Board is of the unanimous opinion that the Variance-free Minor Subdivision Application can be granted without causing substantial detriment to the public good.

### **CONDITIONS**

During the course of the Hearing, the Board has requested, and the Applicants' Representatives have agreed to comply with the following conditions: (Note: Unless otherwise indicated, all Plan Revisions shall be subject to the review and approval of the Board Engineer.)

- a. The Applicants shall comply with all promises, commitments, and representations made at or during the Public Hearing process.

- b. The Applicants shall comply with all terms and conditions of the Leon S. Avakian Review Memorandum, dated February 10, 2022 (A-4).
- c. The Applicants shall comply with the terms and conditions of the Minor Subdivision Committee Review Memorandum, dated February 16, 2022 (A-6).
- d. The Applicants shall arrange for any curbs and driveways to be repaired, as necessary.
- e. The Applicants shall obtain approval from the County of Monmouth prior to perfection of the Subdivision.
- f. The Applicants shall arrange for dry-wells to be installed on each Lot, in accordance with Prevailing Ordinance Requirements. Additionally, the said dry-wells shall be installed and maintained in accordance with industry standards and other best practice guidelines.
- g. The Applicants shall comply with any Prevailing Tree Preservation Ordinance Requirements.
- h. The Applicants shall not replace any trees in violation of any municipal ordinance in effect.
- i. The Applicants shall revise the plans so as to portray and confirm the following:
  - a. Confirmation that utilities shall be placed underground.
  - b. Confirmation that the driveway apron shall be less than 13 feet.
  - c. Inclusion of the driveway width details.
  - d. Confirmation that the tree in the rear of the property shall be preserved (as represented at the public hearing).
- j. 5 Revised Subdivision Plans shall be submitted to the Board Secretary.
- k. The Revised plans shall be reviewed and approved by the Construction office as part of the certificate of occupancy process.
- l. The Applicants shall obtain any necessary demolition Permits, as the Borough of Sea Girt may require.

- m. The Subdivision shall not be perfected until such time as all of the existing structures on the site are demolished / removed.
- n. In the event the subdivision is to be perfected via Deed, the Subdivision Deed (including the legal descriptions) shall be reviewed and approved by the Board Attorney and Board Engineer.
- o. Prior to the issuance of any Building / Construction Permits, the Applicants (or successor Applicants / Owners) shall submit grading, drainage, plot, and utility plans (and drainage calculations) to the Board Engineer, for his review and approval.
- p. The Applicants, or any successor Applicant / Owner, shall comply with all Prevailing Rules, Regulations, Installation, and Hook-Up Requirements of the Municipal Utility Authorities.
- q. Prior to the issuance of any Building Permit, the Applicants, or any successor Applicant / Owner, shall submit detailed Plans / Elevations / Grading & Drainage Details – and the said documents shall be reviewed / approved by the Board Engineer / Zoning Officer (as well as any other applicable municipal officials).
- r. Any single-family homes to be constructed on the newly created Lots shall comply with all Prevailing Bulk Zoning Regulations (as no Variances are granted hereunder.)
- s. The subdivision shall be perfected in accordance with Requirements of New Jersey Law (and within the timeframe set forth in New Jersey Law.)
- t. The Applicant shall review the proposed Block / Lot designations with the Municipal Tax Assessor so as to confirm the acceptability of the same.
- u. The Applicants (or any successor Applicants) shall comply with all applicable Affordable Housing Rules / Regulations / Ordinances / Contributions / Directives as may be required by the Borough of Sea Girt, the State of New Jersey, C.O.A.H., the Court System, or any other Agency having jurisdiction over the matter.
- v. Any construction / development of the Site (if applicable, and if authorized herein) shall comply with the Prevailing FEMA Requirements.
- w. The Applicants shall comply with all terms and conditions of the review memoranda, if any, issued by the Board Engineer, Construction Office, the Department of Public Works, the Office of



the Fire Prevention and Investigation, and/or other agents of the Borough.

- x. The Applicants shall obtain any and all approvals (or Letters of No Interest) from applicable internal / outside agencies - including, but not limited to, the United States of America (FEMA), the Department of Environmental Protection (CAFRA), the Monmouth County Planning Board, the Freehold Soil Conservation District, the local utility offices, the Department of Public Works, the local Fire Department, and any other agency having jurisdiction over the matter. Additionally, in the event the Plans materially change as a result of such outside approvals, then, in that event, the Applicants shall be required to re-petition the Board for amended approval.
- y. The Applicants shall, in conjunction with appropriate Borough Ordinances, pay all appropriate/required fees, taxes, and inspection fees.
- z. If required by the Board Engineer (or the New Jersey Municipal Land Use Law), the Applicants shall submit appropriate performance guarantees in favor of the Borough of Sea Girt.

**BE IT FURTHER RESOLVED**, that all representations made under oath by the Applicants and/or their agents shall be deemed conditions of the approval granted herein, and any mis-representations or actions by the Applicants contrary to the representations made before the Board shall be deemed a violation of the within approval.

**BE IT FURTHER RESOLVED**, that the Application is granted only in conjunction with the conditions noted above - and but for the existence of the same, the within Application would not be approved.

**BE IT FURTHER RESOLVED**, that the granting of the within Application is expressly made subject to and dependent upon the Applicants' compliance with all other appropriate Rules, Regulations, and/or Ordinances of the Borough of Sea Girt, County of Monmouth, and State of New Jersey.

**BE IT FURTHER RESOLVED**, that the action of the Board in approving the within Application shall not relieve the Applicants of responsibility for any damage caused by the subject project, nor does the Planning Board of the Borough of Sea Girt, the Borough of Sea Girt, or its agents / representatives accept any responsibility for the structural design of any constructed improvement, or for any damage which may be caused by the demolition / development / subdivision.

FOR THE APPLICATION: Councilwoman Diane Anthony, Karen Brisben, Jake Casey, Mayor Don Fetzer, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward,  
Norman Hall

AGAINST THE APPLICATION: None

NOT ELIGIBLE TO VOTE: Tom Britt (Alternate Member)

ABSENT: Carla Abrahamson

The foregoing Resolution was offered by Mr. Walker, seconded by Mrs. Brisben and adopted by Roll Call Vote:

IN FAVOR: Councilwoman Diane Anthony, Karen Brisben, Jake Casey, Mayor Don Fetzer, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

OPPOSED: None

INELIGIBLE TO VOTE: Tom Britt (Alternate Member)

ABSENT: Carla Abrahamson

Before starting New Business, Mr. Kennedy noted that Mrs. Brisben is out of state on vacation and there is a subdivision deed that needs to be signed, he felt it was appropriate to appoint Chris Willms as Acting Board Secretary in Mrs. Brisben's absence, there is no actual job appointment and no compensation will be made to Mr. Willms, this will just give Mr. Willms the ability to sign any documents that need to be signed. He had spoken to Mrs. Brisben, Chairman Hall and the Borough Attorney, Ray Bogan, and all were fine with this as long as the Board itself agreed. Chairman Hall felt this was a help to the applicants to get whatever work completed and he had no

problem with this, this is a courtesy only. At this time Mrs. Laszlo made a motion to appoint Chris Willms as Acting Board Secretary, this seconded by Mr. Koreyva and approved by voice vote, all aye, no nays.

#### NEW BUSINESS:

The Board then heard the only application for this evening, an application for Preliminary and Final Site Plan approval resulting from a settlement between the Borough of Sea Girt and various Sitco Companies for Block 76, Lot 1, 501 Washington Boulevard, owned by 501 Washington Boulevard, LLC, Block 75, Lot 2, 503 Washington Boulevard, owned by 503 Washington Boulevard, LLC, Block 77, Lot 16, 500 Washington Boulevard, owned by Sitco Sea Girt, LLC, Block 77, Lot 17, 905 Fifth Avenue, owned by Sea Girt Fifth Avenue, LLC. Site Plan Application to allow construction of two buildings, one residential three-story building, and one mixed-use three-story building, total of 19 apartments and two offices. Variances as follows: Minimum Parking Space Width – 10 feet required, 9 feet proposed. Minimum Parking Space Length – 20 feet required, 18 feet proposed. Minimum Side Yard Setback – 5 feet required, 2,8 feet proposed (North lots). Signage – variances requested for two signs of 42 square feet each. Note: Board Member Carla Abrahamson arrived after this hearing started, she arrived at 7:48 p.m.

Please see full transcription of this hearing attached to these Minutes.

#### OTHER BUSINESS:

After the hearing, Chairman Hall stated the names of the Ordinance Review Committee, Board Members Tom Britt and Jake Casey, Heather Scaturo and Michael Meixsell representing members from the public, from Council Dr. Maria Richman and Tom Downey. Chairman Hall said he was looking forward to this as there are a lot of different people involved and there will be different points of view and, hopefully, there will be agreement on what things need to be cleared up or clarified, this will help our Zoning Officer, Chris Willms. He will be contacting the members to arrange the first meeting and appoint a Chair; the email address is on the Sea Girt Website if anyone wants to contact this Committee with any needs or concerns.

Chairman Hall then wanted to applaud the Planning/Zoning Board members for their cooperative hearing this evening, the presentation took an hour and the Board members also took about an hour to make sure they understood everything. The overage in time this evening was due to the Board's concerns and questions and Chairman Hall took this as a positive with very little repetition; all worked well together as the Board usually does. As there was no other business to come before the Board, a motion to adjourn was made by Chairman Hall, seconded by Mr. Walker and unanimously approved by voice vote, all aye. The meeting was adjourned at 9:45 p.m.

Approved: June 15, 2022

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Karen S. Brisben, Secretary

