

RESOLUTION
SEA GIRT PLANNING BOARD
COURTESY REVIEW
CRESCENT PARK – SECOND PLATFORM TENNIS COURT
SEA GIRT, NJ

WHEREAS, the Sea Girt Planning Board is a duly organized Land Use Board, operating and existing in accordance with the Rules and Regulations of the State of New Jersey and the Borough of Sea Girt; and

WHEREAS, the Planning Board is an entity in good standing; and

WHEREAS, the Borough of Sea Girt previously adopted Resolution No. 111-2022 which authorized certain improvements to Crescent Park (including the installation of a second platform tennis court); and

WHEREAS, in furtherance thereof, representatives of the Borough forwarded the matter to the Planning Board for a courtesy review thereof; and

WHEREAS, such a courtesy review occurred at the duly scheduled / advertised Sea Girt Planning Board Meeting of July 20, 2022; and

WHEREAS, at the said meeting, sworn testimony regarding the proposal was presented by Borough Engineer / Board Engineer, Peter Avakian, P.E.; and

WHEREAS, at the aforesaid Public Hearing, Peter Avakian, P.E. described the proposal, and the plans/details associated therewith; and

WHEREAS, the Board Members, and Members of the Public, were presented with an opportunity to ask questions of the witness and / or express comments / statements / objections in connection therewith; and

WHEREAS, during the Public Hearing process, there were a number of questions, comments, concerns, objections, and / or observations noted; and

WHEREAS, some of the aforesaid questions, comments, concerns, objections and / or observations included, but were not limited to, the following:

- a. There was appreciation for the fact that the Borough of Sea Girt forwarded the matter to the Planning Board (for a courtesy review), even though, per the information presented, the project is not a Capital Improvement Project;
- b. There was acknowledgment that Borough Officials are of the opinion that that subject project is not funded with municipal resources and thus, the same is not a Capital Improvement Project;
- c. A question was raised as to whether the proposal becomes a Capital Improvement Project if Borough / Public funds are utilized/expended for any future maintenance-related issues associated with the proposed Court;
- d. There was a question raised as to how Borough officials determined the Prevailing ADA (Americans with Disabilities Act) Requirements for the site, and how the Borough officials determined the number of ADA parking spaces required for the project; (for which Borough officials suggested the matter would be reviewed)
- e. There was a question raised as to the Prevailing Rules / Regulations / Restrictions associated with Crescent Park - and whether the proposed court installation violates any provisions / restrictions associated therewith;
- f. There was a question raised as to whether the platform tennis court use violates any existing / recognized / explicit/ implied Deed Restrictions associated with the site;
- g. There were questions / comments regarding the 2018 Master Plan, the specific goals / objectives referenced therein, and further questions / comments as to whether the subject platform tennis court development is consistent therewith;
- h. There was a belief, by some, that the Master Plan expresses an intent to expand passive recreation use at the site – and not the active recreation use associated with the proposed platform tennis court;
- i. There was a belief, by some, that at the time of the last Master Plan Re-Examination, Crescent Park was only utilized for passive recreation use

and that, as of 2018, the park has been utilized for passive and active recreation purposes;

- j. There was recognition that the goals and objectives of the Master Plan reference a desire to meet the active and passive recreational needs of the Borough's year-round residents and visitors (and there was a question as to whether the subject project appropriately advances such a purpose);
- k. There was a concern that the Master Plan generally references a goal / objective of appropriately providing for the recreational / environmental needs of current residents, but without compromising anticipated recreational / environmental needs of future residents (and there was a concern as to whether such goals / objectives were simultaneously advanced by the subject proposal);
- l. There was a suggestion that, despite references in the Master Plan to the contrary, ~~the proposed project may not appropriately promote the well-being of current and future Borough residents;~~
- m. There was recognition that, although the Borough does possess a NJDEP-issued Finding of No Significant Impact for the project, the Borough, as an institution, and the individual Borough officials, must be cognizant of, and sensitive to, prevailing Environmental site limitations, including Prevailing CAFRA / NJDEP Regulations (and there was a further concern that the proposed project was not appropriately sensitive to the same);
- n. There was a belief, by some that the proposed project might not appropriately honor / respect / advance Prevailing Environmental Sensitivities at the site;
- o. There was a suggestion that the Master Plan, and sound planning guidelines, must appropriately balance / direct / guide land use / development in a way which preserves / promotes the eco-system (and there was a further fear that the proposed project was not sufficiently sensitive to the same);
- p. There was a comment that the subject proposal runs counter to the Master Plan goals / objectives of open space preservation;
- q. There was a concern that while some elements of the proposal may meet the active and passive recreational needs of current / future residents, that the same is being effectuated at the expense of, and to the detriment of, other important environmental goals / objectives;
- r. There was speculation, by some, that while the Goals of the Master Plan Reexamination Report (including Goal #3) encourage active and passive recreation, the within proposal does not necessarily advance the interests of the Borough of Sea Girt, or the resident thereof;

- s. There was a belief, by some, that what some view as limited recreational benefits associated with the project are out-weighed by the adverse environmental concerns / disruptions otherwise associated with the proposal;
- t. There was a comment that the proposed recreational benefits (associated with the project) are not necessarily more important than preserving, protecting, and promoting the sensitive environmental sanctity of Crescent Park;
- u. There was a belief, by some, that while there are some merits to some aspects of the proposal, the project does not , on the whole, appropriately balance competing recreational needs with environmental sensitivities;
- v. There was a suggestion that the project, on the whole, will only be beneficial to, or otherwise enjoyed by, a very small portion of the Sea Girt population;
- w. There was a suggestion that other Borough projects could more meaningfully advance / fulfill / serve the reasonable recreational needs of a much greater portion of the Sea Girt population;
- x. There was a suggestion that the proposal will not necessarily serve / advance the immediate, short-term, or long-term needs of many Sea Girt residents;
- y. There was a suggestion that the proposal will not necessarily serve / advance the immediate, short-term, or long-term needs of the aging portion of the Sea Girt population;
- z. There was a comment that the proposed platform tennis court installation will not advance the reasonable recreational needs / expectations of the overwhelming majority of Sea Girt residents;
- aa. There was a realization, by some, that for most parts of the year, the existing courts at the site are not heavily utilized;
- bb. There was a belief, by some, that other proposed projects could simultaneously a) more appropriately advance / fulfill the reasonable recreational needs of a greater portion of the Sea Girt population and b) more appropriately minimize any adverse environmental impacts associated with any proposed development;
- cc. There was a suggestion that the benefits of the project do not out-weigh the detriments / sacrifices / compromises otherwise associated therewith;

- dd. There was a belief, by some, that Crescent Park is a beautiful natural preserve, and that the location of the new platform tennis court will compromise the same;
- ee. There was a comment that the location of the proposed platform tennis court is very open / pronounced/visible – and that the same will compromise the overall serenity of the historically passive Crescent Park;
- ff. There was a comment that there does not appear to have been any type of comprehensive study as to the overall parking needs associated with the proposal (relative to existing / proposed parking matters, etc.);
- gg. There was speculation that there does not appear to have been any real study on the overall and / or long-term impacts that the project will have on the roadways surrounding Crescent Park;
- hh. There was a concern regarding the potentially adverse noise impact associated with the proposal;
- ii. There was a concern regarding the potentially adverse lighting impact associated with the proposal;
- jj. There was an issue expressed regarding the apparent lack of information (or lack of disclosure) regarding the anticipated hours of operation associated with the court lights, etc.;
- kk. There was an issue expressed regarding the lighting impact of the proposal, and potentially adverse effects on the surrounding community;
- ll. There was a belief, by some, that the parking situation should have been more appropriately studied / analyzed before the project was presumably authorized;
- mm. There was a belief, by some, that the proposal is not consistent with the goals and objectives of the Master Plan, and / or Re-Examinations thereof;
- nn. There was a question as to whether there is an actual need for any additional courts at the site, as 3 tennis courts and 1 platform tennis court already exist;
- oo. There was a belief, by some, that environmental issues were not sufficiently addressed / studied / analyzed / debated before the project was presumably authorized;
- pp. There were questions raised regarding the subject provisions of the Stewardship Plan for the Park – and whether the proposed project is consistent therewith;

- qq. There were questions raised regarding potentially adverse impacts, a semi-public or public project could have, or will have, on the surrounding residential community;
- rr. There was a belief, by some, that public opinion on the matter was not sufficiently / formally ascertained / obtained / considered / analyzed before the project was presumably authorized;
- ss. There was a concern that, given the impact of the project, and given the apparent high level of public interest, formal public opinion should have been more appropriately measured before any course of action was formally authorized (similar to such other public opinion efforts undertaken in connection with other recent Borough matters which generated significant interest);
- tt. There was a statement, by some, that more detailed public opinion on the matter should be obtained;
- uu. There were statements, by some, that, contrary to the process typically undertaken by Borough representatives, there was not a sufficient level of cooperation, or perceived cooperation (between the Borough and other public / private sectors) with respect to the proposed project;
- vv. There were a series of questions regarding the overall process by which the project was envisioned, created, coordinated, advanced, vetted, and presumably approved;
- ww. There was a belief, by some, that while the courtesy Planning Board review / input is appreciated, and welcome, the impact of the Planning Board review is dampened / tempered by virtue of the fact that the Borough Council presumably already adopted a Resolution authorizing the proposed Park improvement;
- xx. There was a belief, by some, that formal Borough review / authorization of the matter has, essentially, already taken place (without the governing body having received / analyzed / studied / discussed the results of the Planning Board courtesy review);
- yy. There was a belief, by some, that alternate recreation projects (i.e. besides the court installation referenced herein) could have been, and should have been, more appropriately reviewed / considered / analyzed;
- zz. There was a belief, by some, that, despite the good-faith actions / motives of all actors, on a whole, the proposed project is not consistent with the Master Plan;
- aaa. There was a suggestion that, the despite the good-faith actions / motives of all actors, the project does not advance the long-term interests of the

Borough of Sea Girt, or the overwhelming majority of the residents thereof;

- bbb. There was recognition of the fact that while the Borough Council may have appropriate answers/responses to some or many of the preceding questions/comments/concerns, the same have not necessarily been made available to, or otherwise distributed to, the public;
- ccc. There was appreciation for the thorough, honest, detailed, skilled, and frank presentation by the Borough Engineer/Board Engineer;
- ddd. There was a definitive statement that the within list of issues/concerns be submitted (to the Mayor and Council) with the utmost respect (from the Planning Board Members); and
- eee. Notwithstanding the comments and concerns set forth during the Public discussion, ~~there was, essentially, recognition of, and appreciation for, the~~ time, effort and commitment of the Mayor and Council representatives (in connection with the subject proposal).

WHEREAS, an on-the-record good-faith and frank debate / discussion ensued on the matter;

NOW, THEREFORE, BE IT RESOLVED by the Members of the Sea Girt Planning Board, after having considered the aforementioned testimony and discussions, that the Planning Board hereby finds as follows:

1. That the proposed Crescent Park Platform Tennis Court project (as referenced in Sea Girt Resolution No. 111-2022) is not consistent with the Sea Girt Master Plan, and / or Re-Examinations thereof.
2. That while all of the aforementioned questions, comments, concerns are not necessarily shared by all Board Members, the above list does represent the general nature of the questions / comments / concerns expressed / referenced during the public discussion.
3. Though there clearly is a difference of opinion on certain aspects of and / or interpretations of the Master Plan (as the same relate to the within project), the within vote / Resolution is in no way intended to serve as, or to be interpreted, as an assault / attack on the Borough of Sea Girt, the Borough's elected officials, the Borough's appointed officials, the Borough's appointed professionals, or the good-faith deliberative / legislative / democratic process associated therewith.

Mr. Ward made a motion (regarding Points 1, 2, and 3 above) to adopt, and Mr. Walker seconded the said motion.

The following Board Members voted in favor of such a Motion:

Karen Brisben, Tom Britt, Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

The following Board Members opposed the subject Motion:

None

The following Board Member had recused himself: Mayor Don Fetzer

Absent: Carla Abrahamson, Councilwoman Diane Anthony

4. That subject to legal review, and subject to prevailing legal requirements, the Planning Board respectfully requests that the governing body consider placing the item on some type of legally recognized ballot (so that public opinion on the matter can be ascertained).

Mrs. Brisben made a motion to adopt the motion (for the adoption of Point #4) and Mr. Koreyva seconded the said motion.

The following Board Members voted in favor of such a Motion:

Karen Brisben, Tom Britt, Jake Casey, Stan Koreyva, Eileen Laszlo, John Ward, Norman Hall

The following Board Members opposed the subject Motion:

Robert Walker

The following Board Member had recused himself: Mayor Don Fetzer

Absent: Carla Abrahamson, Councilwoman Diane Anthony

5. That a certified and true copy of the Resolution shall be forwarded to the Borough Clerk, for ultimate distribution to the Mayor and Council Members.

The foregoing Resolution was offered by Mr. Ward, seconded by Mr. Koreyva and adopted by Roll Call Vote:

Part One, Platform Tennis Facility:

Ayes: Karen Brisben, Tom Britt, Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

Noes: None

Not Eligible to Vote: Carla Abrahamson, Councilwoman Diane Anthony, Mayor Don Fetzer

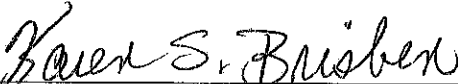
Part Two, request for consideration of putting on the November ballot:

Ayes: Karen Brisben, Tom Britt, Jake Casey, Stan Koreyva, Eileen Laszlo, John Ward, Norman Hall

Noes: None

Not Eligible to Vote: Carla Abrahamson, Councilwoman Diane Anthony, Mayor Don Fetzer, Robert Walker

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Sea Girt Planning Board on this 21st day of September, 2022.



Karen S. Brisben, Board Secretary