

RESOLUTION OF APPROVAL

**APPLICATION OF
COAST VENTURES, LLC**

IN THE MATTER OF
COAST VENTURES, LLC

: UNIFIED PLANNING/ZONING BOARD
: BOROUGH OF SEA BRIGHT
: APPLICATION NO. 2024-05
: BLOCK 20, LOT 1
: 1123-1127 OCEAN AVENUE

WHEREAS, COAST VENTURES, LLC. has requested preliminary and final site plan approval with variance relief pursuant to N.J.S.A. 40:55D-70 (c)(1) and (2) to add a one-story addition to the southeast corner of the existing building along with second and third story open-air decks above the addition at the existing commercial site at the property located at Block 20, Lot 1 on the tax map of the Borough of Sea Bright, being commonly known as 1123-1127 Ocean Avenue, Sea Bright, New Jersey, and said premises being in the B-1 Central Business Zone; and

WHEREAS, the Board held a public hearing on said application on June 11, 2024; and

WHEREAS, the applicant provided adequate notice of the hearing in accordance with N.J.S.A. 40:55D-12; and

WHEREAS, the applicant was represented by counsel, Jennifer S. Krimko, Esq., who presented the Application; and

WHEREAS, the Board heard the testimony and evidence presented by the applicant, applicant's witness and received comments from the public.

NOW, THEREFORE BE IT RESOLVED, that the Unified Planning/Zoning Board of the Borough of Sea Bright, County of Monmouth and State of New Jersey, made the following findings:

1. The Board found the application complete.
2. Based upon the opening comments of the Applicant's counsel, the Board heard the following:
 - A. The Applicant proposed to modify the existing commercial site (first floor commercial and second/third floor residential apartments – 4 apartments total) to add a one-story addition

to the southeast corner of the building with second and third story open-air decks above the addition.

- B. Variance relief was requested for:
- a. Lot depth where 60' is required and 50' is proposed (existing condition).
 - b. Rear yard setback where 15' is required and 4.98' is proposed for the addition (2.9' existing for building to remain unchanged).
 - c. Maximum building coverage where 50% is allowed and 86.85% is proposed (79.23% existing).
 - d. Maximum impervious lot coverage where 75% is allowed and 95.09% is proposed (87.57% existing).
 - e. Front yard setback where 25' is required and 2.63' is proposed for addition (remaining existing conditions for building to remain unchanged).

3. The following were submitted in support of the Application:

- A. Certified Planning/Zoning Board Application
- B. Photograph – Front of Building View (undated)
- C. Zoning Denial by Zoning Officer Mary Tangolis, dated 2/28/24
- D. Exhibit A1 - Survey of Property, by Charles Surmonte, P.L.S., dated 11/23/22 (1 sheet)
- E. Exhibit A2 - Variance/Architectural Plans by Jeremiah Regan, AIA, dated 7/8/23 (last revised 12/10/23) (2 sheets)
- F. Exhibit A3 – Photographs (3) (E. Surf Street views and Aerial)

4. Based upon the sworn and qualified testimony of the Applicant's Architect Jeremiah Regan, AIA, the Board made the following findings of fact:

- A. He is a licensed architect in the State of NJ and prepared the architectural plans submitted to the Board for review/approval.
- B. The subject property is located in the B-1 Central Business Zone.
- C. The property is located on the east side of East Ocean Avenue, south of the Fire Department site.

- D. The developed site contains first floor commercial units (Giglio's bait and tackle shop and Northshore Sea Bright men's clothing retail store). The second and third floors contain 4 residential apartments.
- E. The Applicant's intent per the architectural plans submitted is to modify the site to add a one-story addition to the southeast corner of the building with second and third story open-air decks above the addition for the use of the connected apartment units (units 2B and 3B).
- F. He testified that as shown on the plans, the first floor addition is for storage only. The front portion of the storage addition will be for the benefit of the first floor commercial unit (currently Northshore Sea Bright Fine Clothing) while the rear portion shall be divided to provide 4 storage units (one for each residential apartment). He testified that elevation to the DFE for that storage-only addition is not required.
- G. Applicant agreed as a condition that the exterior siding for the addition shall match the existing siding of the building.
- H. Applicant agreed as a condition to modify the plan to provide for a trash corral. The specific dimension, location and materials shall be subject to the review and approval of the Board engineer.
- I. He opined that there will be no negative impacts created by the application for site plan approval and that the benefits of the amended plans outweigh any detriments.
- J. He opined that the proposed addition and decks will be an aesthetic improvement to the site; while also being a functional improvement for employees and residents in the residential apartments.

CONCLUSIONS OF LAW:

WHEREAS, after careful deliberation, the Board has determined that the applicant has met the requirements of N.J.S.A. 40:55D-70(c)(1) and (2) with

conditions imposed, for the variance relief required and re-approval of variances previously existing for this application for site plan approval in as much as the plans are an appropriate development of the subject parcel with permitted uses in the Zone;

WHEREAS, after careful deliberation, the Board has determined that the proposal advances purposes of zoning as set forth in N.J.S.A. 40:55D-2 (a) and (i) of the Municipal Land Use Law; and those benefits outweigh any detriment from the proposal; and

WHEREAS, after careful deliberation the Board has determined that the proposed development will not have a substantial negative impact on the neighborhood and will be a benefit in terms of the functional use of the site and improved aesthetics at the site; and

WHEREAS, the Board has determined that the relief sought can be granted without a substantial negative impact to the public good, provided all conditions of approval are satisfied or met; and

WHEREAS, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Borough of Sea Bright.

NOW, THEREFORE, BE IT RESOLVED by the Unified Planning/Zoning Board of the Borough of Sea Bright, in the County of Monmouth and State of New Jersey, on the 11th day of June, 2024, upon a motion made by Mr. Leckstein and seconded by Mr. Schwartz that the application of Coast Ventures, LLC, be granted, subject to the following terms and conditions:

1. The applicant shall be bound by all exhibits introduced, all representations made, and all testimony given before the Board at its meeting of June 11, 2024.
2. The applicant shall provide all required Site Performance Bond and Inspection Fees in accordance with the Municipal Ordinance.
3. The applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to CAFRA, and the Municipality's and State's affordable housing regulations; and the applicant shall comply with any requirements or conditions of such approvals or permits.

4. The applicant must comply with the Development Fee Ordinance of the Borough of Sea Bright, if applicable, which Ordinance is intended to generate revenue to facilitate the provision of affordable housing.
5. The applicant shall comply with all items set forth in the Board Engineer report dated 4/2/24, unless specifically exempted herein.
6. The applicant shall submit proof of payment of all real estate taxes applicable to the property and payment of all outstanding and future fees and escrow charges, posting of all performance guarantees, if any, in connection with the review of this application prior to and subsequent to the approval of this application.
7. The applicant shall comply with all building, FEMA and fire codes including, but not limited to, entrances and exits.
8. The accuracy and completeness of the submission statements, exhibits and other testimony filed with or offered to the Board in connection with this application, all of which are incorporated herein by reference are specifically relied upon by the Board in granting this approval. This condition shall be a continuing condition, deemed satisfied unless and until the Board determines (on notice to Applicant) of a breach thereof.
9. In the event that any documents require execution in connection with this approval, such documents shall not be released until all conditions are satisfied.
10. The applicant shall pay to the municipality any and all sums outstanding for fees incurred by the municipality for services rendered by the municipality's professionals for review of the application for development, review and preparation of documents, inspections of improvements and other purposes authorized by the MLUL.
11. No site work shall be commenced or plans signed or released or any work performed with respect to this approval until such time as all conditions of the approval have been satisfied or otherwise waived by the Board.

12. Applicant shall comply with the following special conditions:
 - A. The exterior siding for the addition shall match the existing siding of the building.
 - B. Applicant shall modify the plan to provide for a trash corral. The specific dimension, location and materials shall be subject to the review and approval of the Board engineer.
 - C. Use of the first floor addition shall be for storage only as depicted on the plans submitted.

13. Publication of a notice of this decision shall be published in the official newspaper of the Board. Such publication shall be arranged by the applicant.

ADOPTED this 11th day of June, 2024.

VOTE ON ROLL CALL:

IN FAVOR: Mr. Lawrence, Mr. Cashmore, Mr. Leckstein, Ms. Bills, Ms. Lefkort, Mr. Schwartz and Chairman Cunningham

OPPOSED: None

MEMORIALIZED this 25th day of June, 2024 on a motion offered by Mr. Leckstein and a second offered by Ms. Bills.

VOTE ON ROLL CALL:

IN FAVOR: Ms. Bills, Mr. Cashmore, Mr. Leckstein, and Ms. Lefkort

OPPOSED: None

CERTIFICATION

I, Candace B. Mitchell, Secretary of the Unified Planning/Zoning Board of the Borough of Sea Bright, County of Monmouth, State of New Jersey, do hereby certify the attached is a true copy of the Resolution for Application No. 2024-05 Approved by the Unified Planning/Zoning Board at its regular meeting on June 11, 2024 and memorialized on June 25, 2024.

Candace B. Mitchell
Candace B. Mitchell, Secretary
Borough of Sea Bright Unified Planning/Zoning Board