

**Bradley Beach Planning Board
Regular Meeting Minutes
Thursday, February 22, 2018 at 6:30 PM
(due to recording issues meeting began at 6:56 PM)**

Meeting is called to order by Chairman Psiuk. The Board and the public recite the Pledge of Allegiance.

Open public meeting announcement is made by the Board Secretary.

Roll Call:

Present: William Psiuk, Rafael Albanir, John Weber, George Waterman, Norman Goldfarb, Marc Rosenthal, Douglas Jung, Meredith DeMarco, and Alan Gubitosi

Absent: Jane DeNoble and Paul Williams

Also Present: Mark Steinberg, Esq. – Attorney to the Board, Gerald Freda, PE, PP, CME – Board Engineer, and Jennifer Beahm, PP, AICP – Board Planner.

Appointed Board Members Sworn In: Norman Goldfarb is sworn in.

Approval/Adoption of Minutes:

Regular Meeting Minutes of January 25, 2018 are approved and adopted on a motion made by Chair Psiuk and second by John Weber. All members present in favor with the exception of Mr. Goldfarb.

Resolutions Memorialized:

Approval of Amended Preliminary and Final Site Plan – Brielle Developers, LLC – Block 59, Lots 9-12 – 301 Main street and 704 ½ Third Avenue. A brief discussion takes place with regard to development fees. Question regarding columns and shifting parking spaces. Jerry indicates that there was a problem moving spaces north, because the spaces would land too close to the columns. It has been addressed with painted striping and can be looked at again in the field.

Motion made by Chair Psiuk and seconded by John Weber. Those in favor: Alan Gubitosi, Douglas Jung, Marc Rosenthal, George Waterman, John Weber, Rafael Albanir, and William Psiuk.

Applications Under Consideration: None.

Discussion Items:

Master Plan Discussion (continued from prior meetings):

Revised Proposed Non-Conforming Uses, Structures, and Lots Ordinance:

Jennifer Beahm indicates the language has been revised and/or eliminated as per the recommendations of the Board on January 25, 2018.

The 2-year extension discussed with regard to insurance delays, etc. which can be requested and granted through the Zoning Officer if deemed appropriate.

Chair Psiuk reads the proposed ordinance and indicates which portions have been revised.

Mr. Goldfarb questions the issue of arson. It is indicated it must be an accident or natural calamity.

The construction official will determine the more than 50%

Douglas Jung requests the phrase in the definition for “partial destruction” be used throughout for consistency instead of just fire or other natural calamity.

Mark Steinberg, Esq. suggests to add “satisfactory” to B.1.a. to read “...demonstrating a satisfactory reason for the request” as it relates to the 2-year extension.

C.3. is explained and more than 50% was added. C.4. is also explained.

This helps protect the existing non-conforming structures and those that will be created by the other proposed changes to zones which we have discussed.

Thomas Coan – 612 Third Avenue – questions B.1. Jennifer Beahm reads and explains “volume” and that it protects the overall square footage is protected. How they choose to lay out the interior is up to them so long as the “volume” remains the same as existed before.

John Naples – questions what the benchmark is for 50%? Is it 50% of the assessed value? A discussion takes place with regard 50% of value and 50% of the actual structure. Land Development Ordinance cannot zone with regard to value.

Jerry Freda explains what the purpose of this ordinance is and as it is, it is protecting everyone in town.

Jennifer Beahm explains Master Plan recommendations which will be put together for approval before going to Council.

Jennifer Beahm explains the Master Plan process and the Council introducing and adopting ordinances relative to direct recommendations made within the Master Plan.

Graduated Housing Plan

Jennifer Beahm discusses that the current is just what was initially proposed as there is nothing in our Ordinance “currently”. Initially it was broken up into categories and Jane DeNoble had reached out to her via e-mail and she is not here tonight. Initially they were less than 2,000 s.f., 2,001 s.f. – 5,000 s.f. and then greater than 5,000 s.f. Her concern was that currently in the R-1 the lot area is 50 x 100 which is 5,000 s.f. so she felt that middle category should have been capped at 4,999 s.f. and then the final category would have been 5,000 s.f. and over. Jennifer provides map showing the effects of this plan on the individual lots both ways. The maps are just a general overview as it is based on GIS Mod IV data.

Chair Psiuk agrees with the 4,999 s.f.

Now proposing less than 2,000 s.f., 2,000 s.f. - less than 5,000 s.f., and then 5,000 s.f. and above and only 3 categories vs. 4.

Chair Psiuk questions the asterisk. It is indicated it is relative only to the stories.

Discussion takes place as to whether this can be removed and allow on any lot 5,000 s.f. or above.

This ordinance will hopefully cut down on the intensity on these smaller lots as they would have their own set of standards based upon the actual square footage of the lot, and less opportunity for the argument that the standards are meant for a larger lot.

Chair Psiuk – real estate and builder in audience – 2.5 story building? How many people, is that the trend 2.5 stories?

Thomas Coan – comments with regard to what is being proposed and feels it will eliminate the need for a lot of variances.

Meredith DeMarco asks if smaller towns and the surrounding area have a plan like this. Jennifer Beahm indicates she has not seen one.

It is discussed that it was either this or FAR, and the Board was not in agreement with FAR.

Mr. Coan distributes the plan he has prepared and a discussion takes place. Disagrees with not allowing a shed on smaller lots. Thinks it is reasonable to allow 2.5 stories on 4,000 s.f. It is indicated parking requirements are governed by RSIS.

Jennifer Beahm takes no exception to the bulk standards proposed, but is hesitant to categorize as 4,000 s.f. or less, especially when we require 5,000 s.f. lots.

Henry (?) – 209 Third Avenue - Questions the spreadsheet with regard with width/depth. It is indicated that the spreadsheet should also include area requirements, not just width and depth this way the odd shaped lots that do not have rear lot lines will also have requirements.

John Naples disagrees with eliminating 2.5 stories on 2,000 – 5,000 s.f. lots. It is too restrictive and unfair.

Jennifer Beahm discusses this is for the majority of the lots in Bradley and you still have the option of going to the Zoning Board to request a variance in the unique circumstance where it may fit.

John Weber indicates that it also effects the parking requirements which is a function of land use.

Thomas Coan – indicates preservation is necessary and with the standards being proposed you can build a generous sized house on a smaller lot.

Jennifer indicates we can add the asterisk above and say on lots 4,000 s.f. or greater, a 2.5 story house can be constructed if there are no other variances necessary. Just change the location of the asterisk. This is disagreed with by the Board.

It is impossible to zone for every single property. You are still going to have people submitting for variances.

Need to add area requirement because the table does not address and people will still need a variance.

The Board agrees with Jen's categories and Mr. Coan's bulk standards which makes things a little bit easier.

Jennifer Beahm will put wording together for sheds 100 s.f. and under and not on a permanent foundation and okay with 3 foot rear and 3 foot side setbacks on the smaller lots.

Investigate Lots between 4,000 – 5,000 s.f. and see how many are affected to see whether or not it is necessary to add asterisk for 2.5 stories.

Jennifer Beahm will redistribute for comment to everyone and you can reply individually to Jennifer, do not reply to all.

Density Standards

The main focus of this is on Main Street where residential is permitted over retail. The issue here is there are no standards. Density is units per acre, not number of bedrooms. The surrounding areas do not have density requirements. The lots are so small in order to get any realistic sized project is almost impossible.

The recently approved Giomano's project is equivalent to 47.8 units per acre. This sounds dramatic and it is a very difficult concept to explain when it is a factor of the size of the lot.

Jennifer Beahm indicates the Board needs to determine whether or not they feel this is necessary. If there is a provision and somebody is seeking to exceed, they will require a use variance which has a substantial burden to obtain.

Chair Psiuk says no – Thomas Coan indicates Mr. Psiuk is not the Board.

Marc Rosenthal questions what the benefit to having density standards is?

Jennifer Beahm explains standards for a Redevelopment Plan and it can have its own standards and be very specific.

John Weber questions a redevelopment plan and what is wanted on each lot.

Approximately 24-28 units per acre.

Mr. Albanir questions the building located behind the municipal building. Mr. Naples indicates there are 47 units over retail but unsure of property size. Jennifer Beahm indicates that property yields a little less than 42 units per acre.

Mr. Coan indicates that having a density provision helps protect the residents as well as the site improvement standards for parking.

John Weber indicates 43 units per acre seems too dense/intense.

Rich (?) – 600 Third Avenue – questions if there was a density restriction before? How would it affect the Giomano project? Jennifer Beahm indicates it depends on what the number would have been.

Jennifer Beahm reiterates this is “units” per acre it does not address the size of the units.

Jennifer Beahm indicates what a Needs Study entails and how individual redevelopment plans can be created.

Alan Gubitosi indicates he has some angst over none, but wants it done appropriately.

Jennifer Beahm indicates she will put the general provision/comment in the re-examination report as a goal, this way we can revisit and adopt an ordinance if needed for density.

A poll of the Board is taken:

John Weber – if no redevelopment plan in place on Main would like to come back to the density issue – YES, Chair Psiuk – YES, Marc Rosenthal – agrees with John Weber - YES, Douglas Jung – YES, Norman Goldfarb – YES, Rafael Albanir – YES, Alan Gubitosi – YES, Meredith DeMarco – YES, George Waterman – YES.

Jennifer Beahm will get a draft out of the Master Plan Re-Examination Report to discuss and then go to public hearing after we iron any issues out.

Meeting is open to the public

Henry – questions Redevelopment Plan – Jennifer indicates no, at this point it is a Needs Study and it will be public information.

Mr. Coan thanks the Board for these workshops.

WITH NO FURTHER BUSINESS BEFORE THE BOARD A MOTION TO ADJOURN WAS OFFERED BY CHAIR PSIUK, MOVED AND SECONDED BY MARC ROSENTHAL, ALL IN FAVOR. MEETING CLOSED AT 9:02 PM.

NEXT SCHEDULED MEETING WILL BE A REGULAR MEETING ON THURSDAY, MARCH 22, 2018 AT 6:30 PM HERE IN THE MUNICIPAL COMPLEX MEETING ROOM.

Minutes submitted by Kristie Armour, Board Secretary