

Bay Head Planning Board
May 17, 2017

The meeting of the Bay Head Planning Board was held on Wednesday, May 17, 2017 at 7:30 PM.

Mr. Furze read the following statement: "Pursuant to the applicable portions of the NJ Public Meetings Act, adequate notice of this meeting was mailed to the Ocean Star and posted in the corridor of the Borough of Bay Head and filed with the Bay Head Borough Clerk."

Roll Call: William Furze, Kathleen Tell, John Henry Morris, Patricia Wojcik, Mark Durham, William Curtis, Robert Hein, Thomas Charlton, Neil Devesty
Absent: Frederick Applegate

The February 7, 2017 **Minutes** were approved on a motion by William Curtis and seconded by Neil Devesty, and the February 15, 2017 **Minutes** were approved on a motion by Kathleen Tell and seconded by Thomas Charlton, with all in favor.

Mr. Furze stated the Board had two Resolutions for review, the first being the **Resolution** of Playa Bowls, LLC, 62 Bridge Avenue, a/k/a Block 25, Lot 5 which was approved at the meeting of April 19, 2017. A motion was made by Kathleen Tell and seconded by Patricia Wojcik to approve the Resolution. Roll call: YEAS: Kathleen Tell, Patricia Wojcik, William Furze, John Henry Morris, Mark Durham, Robert Hein, Thomas Charlton, Neil Devesty.

Mr. Furze stated the second **Resolution** for review is that of 700 Clayton Avenue Securities Trading Co., L.P., 700 Clayton Avenue, a/k/a Block 67, Lots 6.02, 6.03, 8.02 and 8.03, which was approved at the meeting of April 19, 2017. A motion was made by Kathleen Tell and seconded by John Henry Morris to approve the Resolution. Roll call: YEAS: Kathleen Tell, John Henry Morris, William Furze, Patricia Wojcik, Mark Durham, Robert Hein, Thomas Charlton, Neil Devesty.

Mr. Furze stated there was one **application** to be heard this evening, that of Katherine O'Hara and Amanda Murphy, 42 Bridge Avenue, a/k/a Block 30, Lot 14.

Mr. Zabarsky stated the Board received a letter dated April 26, 2017 from Roger McLaughlin, Esq., the attorney for the objector Val Skinner, stating that Ms. Skinner is out of state at a tournament and unable to attend the meeting, and therefore requested the matter be carried to the Board's next meeting. Mr. Zabarsky further stated that he was in contact with the applicants' attorney Robert Shea, Esq. and asked Mr. Shea to send a letter to the Board, which he did on May 12, 2017. In said letter, Mr. Shea stated his clients consented to carry their application to the Board's next meeting date of June 21, 2017 without further notice. A motion was made by Kathleen Tell and seconded by John Henry Morris to carry this application to June 21, 2017 without further notice. All were in favor.

Under **New Business**, Mr. Furze thanked Board members Robert Hein, Thomas Charlton and Mark Durham for their efforts regarding the Master Plan re-examination. He further stated the

public meeting was well received, and there were a number of discussions and good points raised. Mr. Furze thanked Susan Brasefield for her office coming in with a nice presentation, which he felt went well. Mr. Furze further stated we have had some conversations regarding proposed revisions to our Land Use regulations, and we have plenty of time to add to it, supplement it, clarify it; that at this time, it is just in theory the idea of the intent, and Ms. Brasefield confirmed the Board can float a revision to the ordinance at any time. Mrs. Tell inquired as to a copy of the contact information sheet which was generated at the previous meeting and Ms. Brasefield stated she would send it to everyone.

Mr. Furze indicated he would attempt to add some additional things to the ordinance. Mr. Hein agreed there was no need to rush, but neither did he want this to languish; he would like to at least have a time limit and see a draft of proposed changes and/or additions. Mr. Furze agreed to summarize what we have so far, tweak it, add and supplement it, and he would bring it to the next Board meeting for members to comment about it. Mr. Hein would like to see it on June's agenda. Ms. Brasefield confirmed the ordinance revisions were part of the grant from the DCA and do not have to be adopted, but are not part of the Master Plan re-examination. Mr. Charlton wanted it confirmed that anything beyond a certain date – at the end of the month - would be paid for by the Board and would not be part of the grant, which Ms. Brasefield confirmed. Ms. Brasefield stated she would provide the Board with an updated draft of the revisions to the Ordinances but if Maser provided assistance with the revisions beyond the grant date, as opposed to the Board doing the revisions themselves, Maser would provide a bill for same which would not be part of the grant. Mr. Furze invited all Board members to contact him via e-mail to incorporate any items into the document, if they wished to do so.

Mrs. Tell questioned about a house being constructed near her which she felt was exceeding the lot coverage restrictions. Mr. Zabarsky told her to go to the Building Department and whatever plans have been filed, she should have them review them to confirm that what is on the plans, and was approved as not needing a variance, is in fact what is being built. Mayor Curtis stated there are a building inspector and a zoning officer who can look at the plans. Mr. Furze stated he has received resistance, but has been asking for years, and therefore the next generation of changes to the Borough's land use regulations should require the filing of a measurable electronic copy of the plans. Mr. Furze additionally stated maybe the Board would consider a 5% reduction seeing as how a lot of properties are being lifted post-Sandy. Mr. Charlton stated we need to be enforcing the existing rules, and putting more regulations on everything is not going to solve anything.

Mr. Hein stated he wasn't sure the existing rules are being enforced, but neither did he think any of the issues are being brought to the attention of someone to check on them. Mr. Hein further stated we have one person who works part time who does not drive the streets looking for things so that is not that things are not being enforced, but if the Borough wants to hire someone to drive around to check on things, they can do that but that is not the way we run things. He additionally stated there are things happening every day all over town and if someone has a problem with a new house or a fence or an addition, they can go to the Building Department to check on them. Mr. Furze felt there should be a financial consequence for not filing a permit. Mr. Hein pointed out there are plenty of people who do not obtain a rental permit to rent their houses, who put recyclables into their garbage cans, and the question is how many people does

the Borough want to hire to patrol the streets to enforce the rules, and that he has no problem in hiring as many people as everyone would like. Mr. Furze stated we need to start somewhere and if word gets out that there are fines, maybe it will come close to ceasing. He suggested all Board members make mental notes of things and if something continues, to report it.

A motion was made by Thomas Charlton and seconded by Patricia Wojcik to approve the **vouchers**. All were in favor.

The meeting **adjourned** on a motion by William Curtis and seconded by Neil Devesty. All were in favor.

Respectfully submitted,

Claire S. Hense