

BOROUGH OF SURF CITY LAND USE BOARD  
813 Long Beach Blvd  
April 25, 2018  
7:00pm

The meeting was called to order, followed by a salute to the flag.

Roll call reflected the following members to be present: Peter Hartney, Gavin Hodgson, Alan Mannherz, John McMenamin, Fred Peters, James Russell, Emil TumSuden & David Wright.

Absent: Sandy Klose.

Also, present: Board Engineer, Frank Little, Jr. and Board Attorney, Kevin Quinlan.

The Open Public Meeting Statement was read by Chairman Hartney, as follows: in compliance with the "Open Public Meetings Act" of the State of New Jersey, adequate notice of this meeting of the Borough of Surf City Land Use Board has been provided to three newspapers & published in the February 1, 2018 edition of the Beach Haven Times.

Mr. Russell moved to approve the March 28, 2018 meeting minutes. Mr. Wright seconded that motion. With a vote in the affirmative, the minutes were approved with corrections.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: Mr. Hodgson. Absent: Mrs. Klose.

Mr. Russell moved to approve the March 28, 2018 executive session meeting minutes. Mr. TumSuden seconded that motion. With a vote in the affirmative, the minutes were approved with corrections.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: Mr. Hodgson. Absent: Mrs. Klose.

Mr. Russell moved to memorialize Resolution 2018-06, hereto attached, for Thomas & Lois Tucci of 15 N Ocean Avenue, block 11 lot 3 & 4. Mr. Wright seconded this motion. Resolution 2018-06 was approved, denying the applicant a request for forty percent lot coverage and set back relief.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: Mr. Hodgson. Absent: Mrs. Klose.

Mr. TumSuden moved to memorialize Resolution 2018-07, hereto attached, for Colleen & Greg Gerwitz for the Surf City Hotel at 800 Long Beach Boulevard, block 20 lots 15-20. Mr. Wright seconded this motion. With a vote in the affirmative, Resolution 2018-06 was approved, denying the applicant a request for a use variance for a sixty-seat outdoor dining deck.

Roll call vote reflected the following in favor: Mr. Mannherz, Mr. McMenamain, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: Mr. Hartney, Mr. Hodgson, Mr. Peters, & Mr. Russell. Absent: Mrs. Klose.

Mr. Russell moved to approve Resolution 2018-08 in memory of Board member Barbara Sedlacek. Mr. Mannherz seconded this motion. With a vote in affirmative, Resolution 2018-08 was approved.

#### RESOLUTION 2018-08

WHEREAS, Barbara Sedlacek began her service to the community as a Ladies Auxiliary member to the Surf City Volunteer Fire Company. She was later appointed as a member of the E.M.S. on March 8, 1995 and had served as an active member ever since; and

WHEREAS, Barbara had also served as a member of the Land Use Board for the Borough of Surf City since January 23, 2008. On January 28, 2009, she was thereafter elected to the role of Secretary to the Land Use Board; and

WHEREAS, Barbara passed away on March 28, 2018; and

WHEREAS, the Land Use Board acknowledges her devotion to the Board and her thorough knowledge of state and local land use laws; and

WHEREAS, the Land Use Board and the community of the Borough of Surf City will always know Barbara for having the heart to help whenever she could with unlimited compassion; and

NOW, THEREFORE BE IT RESOLVED, on this 25<sup>th</sup> day of April that the Land Use Board of the Borough of Surf City will be forever grateful to Barbara for her service and will always remember her with great affection.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Hodgson, Mr. Mannherz, Mr. McMenamain, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: none. Absent: Mrs. Klose.

Mr. Russell moved to approve Resolution 2018-09 acknowledging the review of Ordinance 2018-08 to establish Chapter 30-17 in the Borough Zoning Ordinances pertaining to wireless

communication facilities and equipment. Mr. Peters seconded this motion. With a vote in affirmative, Resolution 2018-09 was approved.

#### RESOLUTION 2018-09

WHEREAS, the Governing Body of the Borough of Surf City has requested the Land Use Board to review Ordinance 2018-08; and

WHEREAS, Ordinance 2018-08 establishes a new Chapter 30-17 entitled Wireless Communication Facilities.

WHEREAS, Chapter 30-17 establishes zoning regulations for wireless communication facilities and equipment within the Borough of Surf City; and

WHEREAS, the Land Use Board members recognize that no wireless communications facilities shall be constructed, erected or substantially changed without site plan approval and all applicable variances obtained by the Land Use Board; and

WHEREAS, the Land Use Board members have reviewed Ordinances 2018-08 & 2018-09 at a public meeting April 25, 2018; and

NOW, THEREFORE, BE IT RESOLVED that it is the finding of the Land Use Board of the Borough of Surf City that Ordinance 2018-08 is consistent with the intent and purpose of the Master Plan.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Hodgson, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: none. Absent: Mrs. Klose.

There was discussion about Ordinance 2018-09 in relation to signs. Mr. Mannherz had concerns about permit fees and the zones being addressed. Chairman Hartney read excerpts from the sign ordinance.

Mr. Russell moved to approve Resolution 2018-10 acknowledging the review of Ordinances 2018-07 and 2018-09 pertaining to zoning amendments. Mr. Wright seconded this motion. With a vote in affirmative, Resolution 2018-10 was approved.

#### RESOLUTION 2018-10

WHEREAS, the Governing Body of the Borough of Surf City has requested the Land Use Board to review Ordinances 2018-07 and 2018-09; and

WHEREAS, Ordinance 2018-07 and Ordinance 2018-09 will amend the Revised General Ordinances of the Borough of Surf City, County of Ocean, State of New Jersey, 2000 in Chapter 30 as it pertains to “Zoning” sections: 30-3, 30-9.4, 30-10.2, 30-10.3 & 30-15.4(c); and

WHEREAS, the Land Use Board members have reviewed Ordinances 2018-07 and 2018-09 at a public meeting April 25, 2018; and

NOW, THEREFORE, BE IT RESOLVED that it is the finding of the Land Use Board of the Borough of Surf City that Ordinances 2018-08 & 2018-09 are consistent with the intent and purpose of the Master Plan.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Hodgson, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: none. Absent: Mrs. Klose.

There was no public present to comment; the public comment portion was not opened.

Mr. Mannherz motioned to pay the bills. Mr. Russell seconded this motion. With a vote in affirmative, the bills were approved to be paid.

Roll call vote reflected the following in favor: Mr. Hartney, Mr. Hodgson, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, Mr. TumSuden & Mr. Wright. Nays: none. Abstained: none. Absent: Mrs. Klose.

Mrs. Russell motioned to adjourn the meeting. Mr. Peters seconded that motion. With a vote in the affirmative, the meeting was adjourned.

Respectfully submitted,

Christine Hannemann, RMC/CMR

Land Use Board Clerk