

BOROUGH OF SURF CITY LAND USE BOARD
813 Long Beach Blvd
May 23, 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, Paul Hoover, Sandra Klose, Alan Mannherz, John McMenamin, Fred Peters, James Russell, & Emil TumSuden. Absent: David Wright.

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.

Paul Hoover was sworn in by Counselor Quinlan.

Mr. Russell moved to approve the April 25, 2018 meeting minutes. Mr. TumSuden seconded that motion. With a vote in the affirmative, the minutes were approved as presented.

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

Enzo Pavese of SC North, located at 3 Long Beach Blvd, appeared before the board for an interpretation of Zoning Ordinance 30-5.2 and an amended site plan approval. James Raban, attorney for the applicant, explained that the applicant wished to lease one of the existing units as a yoga studio. James Brzozowski, engineer and planner for the applicant, testified in relation to prior approvals and the proposed use. The proposed use is a yoga studio with retail sales. Mr. Brzozowski also testified that the use is consistent with the intent of Ordinance 30-5.2 and the existing parking.

Katie Risbam and Joanne Dozer, co-owners of the proposed studio, were sworn in by Counselor Quinlan. Board members asked them various questions about the number of classes, attendees, parking and class types. The Board did not move to place any restrictions on business operations.

Mr. Mannherz moved to open the meeting to public comment. Mr. Russell seconded that motion. With a vote in the affirmative, the public comment portion of the meeting was opened.

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

Jamie Pitner, of 114 S. 1st Street, expressed support for the proposed use as a practicing health care professional for about forty years. He stated that he is a Registered Professional Nurse licensed in the State of New Jersey. Mr. Pitner spoke about the health and wellness benefits of yoga.

Liz Law spoke in support of the application. As a coach of Southern Regional High School, she has been embedding the elements of yoga into her programs.

Daniel Malay, owner of *How Ya Brewin* located at 8 Long Beach Blvd, had questions about the public notice for the meeting. Mr. Malay sought clarification on the approved number of parking spots.

Mr. Mannherz moved to close the meeting to public comment. Mr. Russell seconded that motion. With a vote in the affirmative, the public comment portion of the meeting was closed.

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

Counselor Quinlan reviewed the application.

Mr. McMenemy moved to approve the yoga studio, with classes and retail sales, as an approved use under Borough Ordinance section 30-5.2. Mr. TumSuden seconded that motion. Roll call vote reflected the following:

Chairman Hartney: Yes, from the testimony provided and in review of the Master Plan; which does encourage a diversity of business uses within the Borough. It seems to be a natural progression in use.

Mr. Hodgson: Yes.

Mr. Hoover: Yes.

Mrs. Klose: Yes.

Mr. Mannherz: I vote yes, echoing the Chairman's comments and the testimony that has been given. Testimony indicates that there should not be a parking problem because of the type of use being proposed.

Mr. McMenemy: Yes.

Mr. Peters: Yes, I think this will be a good addition to Surf City.

Mr. Russell: I vote yes. Especially, in light of Mr. Pitner's testimony.

Mr. TumSuden: I vote yes. I believe it will be an improvement to the community.

Mr. Hodgson moved to approve the amended site plan without variances. Mr. Peters seconded that motion. Roll call vote reflected the following:

Chairman Hartney: Yes, the applicant has provided an adequate amount of parking.

Mr. Hodgson: Yes.

Mr. Hoover: Yes.

Mrs. Klose: Yes.

Mr. Mannherz: Yes, as Mr. Quinlan mentioned and the the applicant has agreed, to one class at a time with two employees.

Mr. Menamin: Yes.

Mr. Peters: Yes.

Mr. Russell: Yes.

Mr. TumSuden: Yes.

Mr. TumSuden moved 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. Hoover, Mrs.Klose, Mr. Mannherz, Mr. McMenamin, Mr. Peters, Mr. Russell, & Mr. TumSuden. Nays: none. Abstained: none. Absent: Mr. Wright.

Mrs. Russell moved 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