

Sea Bright, New Jersey  
Planning Board Minutes  
October 27, 2009  
8:03 P.M.

Chairman Cunningham called the meeting to order and requested those present to join him in the salute to the Flag.

The Borough of Sea Bright, in compliance with the "Open Public Meetings Act" has advertised the date; time and location of this meeting in the *Courier* on January 16, 2009 filed it with the Clerk, and posted a notice on the bulletin board in the Borough Office.

**ROLL CALL:**

PRESENT: Boardmembers, Cashmore, Clauer, Cunningham, DeSio, Fernandes, McBride, Murphy, Nott Torcivia (Alt. #1) Smith (Alt. #2) Attorney Higgins, Board Secretary Branagan  
ABSENT: Long

**MINUTES:**

**A.** Boardmember Clauer made a motion approving the October 13, 2009 Planning Board Minutes. Second by Boardmember Torcivia and approved upon the following roll call vote.

Ayes: Cashmore, Clauer, Cunningham, DeSio, Fernandes, McBride, Murphy, Nott Torcivia, Smith

Nays: None

Absent: Long

Abstain: None

**D. LOBI ENTERPRISES, INC.  
931 Ocean Avenue  
Block 23, Lots 12, 12.01  
B3 Zone**

**Approval for amended site plan.**

Boardmembers Cashmore and DeSio were recused because they lived within 200 feet of the applicant's property. Boardmembers Fernandes and Murphy were recused because a portion of the property was subject to a use variance. No other members of the board had a conflict with the application or potential witnesses.

- Exhibit A-4 Peter Avakian, P.E., letter dated August 24, 2009 regarding CAFRA permit.
- Exhibit A-5 Thomas Hirsch Esq. brief and narrative dated September 17, 2009.
- Exhibit B-4 Fire Marshall memo dated September 29, 2009.

- Exhibit B-5 D.Lobi Enterprises, Inc. resolution dated July 28, 1992.
- Exhibit B-6 D.Lobi Enterprises, Inc. resolution dated May 14, 2002.
- Exhibit O-1 Michael Leckstein, Esq. letter dated September 22, 2009.
- Exhibit O-2 Windows on the Water web page dated October 12, 2009
- Exhibit O-3a Googled information - Windows on the Water dated October 12, 2009.
- Exhibit O-3b Googled information - Windows on the Water website picture dated October 12, 2009.
- Exhibit O-4 Windows on the Water brochure.

Charles Surmont, engineer and licensed surveyor for the applicant and James Kennedy, P.E. were sworn in by Attorney Higgins and discussed Mr. Kennedy's engineering review. A current survey would be submitted with paving and right of way widths of existing streets, signage, lighting, parking, loading, roof leaders, air conditioning units and the title block would be added to the site plan, aerial map providing additional information of existing structures on the site He would insure that nothing existing or proposed would violate the National Flood Insurance Program. The sewer, gas lines etc. would be researched further to the satisfaction of the Board.

Attorney Leckstein said that a narrative was not provided by the applicant. Attorney Higgins read into the record from the Code of Sea Bright 130-65(b) regarding written description of proposed operation and the Board would make a determination if the narrative submitted by the applicant sufficed.

Chairman Cunningham opened the meeting to the public at 9:09. No one wished to be heard and the public portion was closed at 9:10 p.m.

James LoBiondo, General Manager of The Surfrider was sworn in by Attorney Higgins. He said that the banquet facility operates mainly on weekends and there would be not be an increase to the size of the banquet room or to occupancy. He said that the proposed site plan was to improved functionality by separating wedding guests from beachclub members. The 14 foot wide upper deck was for beachclub members to use and not private functions. There would be an two offices built, additional storage, and a handicapped access elevator.

The application was rescheduled to December 8, 2009.

**ADJOURNMENT:**

There being no further business before the Planning Board.  
Boardmember Clauer made a motion to adjourn the meeting at 10:27  
P.M. Second by Boardmember McBride and approved upon unanimous  
voice vote.

Respectfully Submitted,

Suzanne Branagan  
Planning/Zoning Board Secretary