RESOLUTION
2014 – 009
THE CAM TRUST

WHEREAS, The CAM Trust, 704 Howe Street, Point Pleasant, New Jersey 08742 and 1060 Barnegat Lane, Mantoloking, New Jersey 08723 (herein referred to as Applicant or CAM), made an Application (2014-009) to the Mantoloking Planning Board (Board) to subdivide the existing 165' lot into an 85' wide lot and an 80' wide lot; and

WHEREAS, the Applicant is the owner of the Property which is the subject of this Application and known as Block 22, Lots 21, 21.01, 22 and 22.01 on the Borough of Mantoloking Tax Map and also known as 1060 Barnegat Lane, Mantoloking, New Jersey 08753 (Property); and

WHEREAS, the Property is in the R-2A Zoning District of the Borough; and

WHEREAS, on April 14, 2015, Barbara Allen Wooley-Dillon, P.P., AICP, the Borough Zoning Official/Land Use Administrator issued a Certificate of Completeness letter to Cameron W. MacLeod, Esq., Hill Wallach, LLP (marked as B-1) she indicated, inter alia the following:

This application involves the proposed subdivision of this existing site from two (2) lots containing one (1) detached single-family dwelling into four (4) lots containing two (2) residential dwelling units with a footprint of 4,480 square feet per dwelling. ***Essentially the subdivision would result in two (2) buildable lots. Currently there is one (1) dwelling unit that exists at the site and two (2) dwelling units will be proposed.*** The plans indicate that the existing dwelling will be removed and two (2) dwelling units will be proposed.

As part of this application, the existing accessory improvements will be retained. The following is a list of the accessory uses that will remain with each lot:

- Proposed Lot 21 will retain the existing in-ground swimming pool, a detached three (3) car garage, and the greenhouse/shed.
- Proposed Lot 22 will retain the existing dock.

The proposed subdivision will result in both Proposed Lot 21 and Proposed Lot 22 requiring variance relief from the minimum required lot depth. There are several existing non-existing conditions associated with the existing accessory structures that were previously granted variance relief by the municipality in previous applications. These existing non-conforming conditions will not be changed as a result of the proposed application.

This site is located in the R-2A Zoning District. The bulk and area requirements for this Zoning District are referred to is §30-6.2b of the Zoning Ordinance. In accordance

with the use, bulk, and area requirements for this Zoning District, the application, as submitted, requires the following variance relief:

- Minimum required lot frontage – 100 feet is required where eighty feet (80') is proposed for Lot 21 and eighty-five feet (85') is proposed for Lot 22; and

WHEREAS, the preexisting "existing accessory structures that were previously granted variance relief" and which "will not be changed as a result of the proposed application" and referred to in Ms. Dillon's Certificate of Completeness were granted by the Board and memorialized by Resolution #04-01 on August 5, 2004 which was included with Application; and

WHEREAS, the Municipal Land Use Law of New Jersey (MLUL) (N.J.S. 40:55D-1 et. seq.) and specifically at N.J.S. 40:55D-40(a) gives a municipality the discretion to include in its Land Use Ordinance a class of subdivision known as a "Minor Subdivision" in addition to the required "Major Subdivision". The Borough of Mantoloking has not included a "Minor Subdivision" classification in its Land Use Regulation and therefore, in Mantoloking, all subdivision are treated as one class and are controlled in the Borough Land Use Ordinance, Chapter XXX, Section 30-5.1 et. seq.; and

WHEREAS, in order to prove its case, the Applicant under N.J.S. 40:55D-70c must, if Applicant chooses to proceed under the c(1) test, show whether there is (1) peculiar and exceptional practical difficulties to, or (2) exceptional and undue hardship upon the Applicant arising out of (a) the exceptional narrowness, shallowness or shape of a specific piece of property, or (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the existing structure thereon; and

In addition to the above proof, the Applicant must demonstrate that such variances can be granted without substantial detriment to the public good and will not substantially impair the intent of the Master Plan or the Land Use Ordinance of the Borough of Mantoloking (the "negative criteria") and the Applicant must show that the grant of the variance would promote the purposes of zoning as state sin N.J.S. 40:55D-2 and the undue hardship (the "positive criteria"); and

The Applicant can also choose to prove its case by N.J.S. 40:55D-70c(2) known as the flexible "c". The Applicant must show that: 1. the Application applies to a specific piece of property; 2. that the proposes of the MLUL would be advanced by a deviation from the requirement of the zoning ordinance; 3. that the variances can be granted without substantial detriment to the public good; 4. that the benefits of the deviation would substantially outweigh any detriment; 5. that the variance would not substantially impair the intent and purpose of the zone plan and zoning ordinance.

WHEREAS, proof of publication and mailing to owners within 200 feet of the Property was completed, as is required by the Municipal Land Use Law of New Jersey (MLUL) (N.J.S. 40:55D-1 et. seq. and more specifically at N.J.S. 40:55D-12) and the Land

Use Ordinance of the Borough of Mantoloking (Chapter XXX, Sections 30-3n.2 and 3n.3) has been furnished; and

WHEREAS, the following Board Members were present at both the May 7, 2015 meeting and the June 4, 2015 meeting at which this matter was heard and all indicated that they had made a site visit: Chairman Witkowski, Ms. Jane White, Ms. Denise Boughton, Ms. Susan Laymon, Messrs. Steve Gillingham, Robert McIntyre, Courtney Bixby and Michael Duggan.

Mr. Mark Hawkings and Ms. Elizabeth Nelson did not hear the entire application and were not present at the June 4, 2015 meeting and did not participate in the determination in this matter; and

WHEREAS, the Applicant was represented at the hearing by Thomas F. Carroll, III, Esq., Hill Wallach, LLP, 202 Carnegie Center, Princeton, New Jersey 08540 who made some brief introductory remarks which included his advancement of Kaufman v. Planning Board for the Township of Warren, 110 N.J. 551 (1998) and Daves Enterprises v. Karpf, 105 NJ 476 (1987) as being supportive for the grant of the relief sought by the Applicant. He then called as his first witness Mr. Louis Mercatanti who testified as follows:

1. The CAM Trust acts as a family trust and it owns not only this Property but other real estate and business.

2. The Property was purchased in the Spring of 2000 from the Tully family and his family occupied the house on the Property as its full time residence until 2006, at which time it became their summer residence.

3. The house was fully maintained on a year round basis.

4. The house was literally destroyed by Superstorm Sandy in that it was under 3' of water and became mold infested.

5. The house does not lend itself to being raised in that the structure is 120' x 40' feet, two stories with a full attic. In exploring his options no one recommended raising the house.

6. The options were to rehabilitate and renovate the house but he was fearful of continuing health risks, the possibility of another storm or to subdivide and build a new home on the proposed northerly lot according to the FEMA regulations and sell the proposed southerly lot.

7. He proposed this subdivision in that the existing lot contains 1.4 acres and is by far the largest lot in the neighborhood, and believes the proposed subdivision is more harmonious with the surrounding area.

8. Upon a question he indicated that no architectural plans had yet been completed for the dwelling he proposed for the northerly lot; and

WHEREAS, it was here that Mr. Witkowski questioned Mr. Mercatanti relating to his past actions in installing and building accessory structures without obtaining permits and his subsequent refusal to comply with summonses issued by the Borough. Mr. Carroll objected and counsel for the Board noted the objection and indicated, in order to proceed in an orderly manner, that Mr. Carroll's objection was continuing; and

WHEREAS, Mr. McIntyre indicated he would have liked to have seen some architectural rendering and drawing of what would be built on the northerly lot at least. He was also concerned about the possible impact on the lots directly across Barnegat Lane. He also asked if the existing house was more that 50% impacted by Superstorm Sandy and Mr. Mercatanti indicated it was not; and

WHEREAS, prior to proceeding Mr. Carroll offered the following Exhibits which were marked into evidence without objection:

1. Photo looking north on Barnegat Lane from southerly boundary of Property (A-1).
2. Photo looking from southerly boundary looking west (A-2).
3. Photo looking south from 1058 Barnegat showing trees and fence (A-3).
4. Photo looking from other side of A-3 looking westerly (A-4).
5. Photo in front of existing home looking east (A-5).
6. Photo looking west along southerly boundary line (A-6).

While marked later in the hearing for convenience they are included here.

7. Minor Subdivision Plan and complete Survey prepared by Lindstrom, Diessner & Carr dated April 16, 2014 with revisions through January 23, 2015 was marked as (A-7).
8. Sketch Plan of Existing Lots 21 and 21.01, Block 22 and Proposed Lots 21 and 22, Block 22 prepared by Lindstrom, Diessner & Carr dated February 6, 2015, was marked as (A-8).
9. Borough of Mantoloking Area Tax Map, Sheet 2 was marked as (A-9).
10. Borough of Mantoloking Zoning Map showing. Inter alia, the R-2A Zones was marked as (A-10).
11. Google Earth Aerial Photograph dated as of October 3, 2013 was marked as (A-11).
12. Property and Zoning Analysis of 2002 Master Plan, Appendix A prepared by John D. Maczuga, PP, AICP, was marked as (A-12).
12. Analysis of the five (5) R-2A Zones contained in the Mantoloking Ordinance XXX and prepared by John D. Maczuga, PP, AICP, was marked as (A-13); and

WHEREAS, Mr. Carroll then called Charles Lindstrom, PE, PP, of Lindstrom, Diessner & Carr, P.C., 136 Drum Point Road, Suite 6, Brick, New Jersey, as Applicant's next witness who indicated:

1. He is a New Jersey licensed Professional Engineer and Professional Planner, he graduated with a Bachelor of Science Degree from Lafayette College and a Master of Science Degree from NJIT and has practiced in this area for thirty-five (35) years (Mr. Lindstrom has testified before this Board on numerous occasions and his credentials were accepted) and he testified as follows:

a) He worked on the original 2004 Application for CAM as well as this Application.

b) He discussed the options with the Mercatantis and worked with William H. Doolittle, PLS, NJ License No. 24GSO3624000 of his office in preparing A-7 and A-8.

c) Referring to A-7 it shows all existing structures and accessory buildings.

d) The existing lot contains a total of 62,820 square feet and has a frontage of 165' on Barnegat Lane. The proposal is to create two (2) lots, proposed Lot 21 (northerly) which would have 33,120 square feet and 80' on Barnegat Lane and proposed Lot 22 which would contain 29,713 square feet and 85' on Barnegat Lane.

e) Both of the proposed Lots meet the 20,000 square foot lot area requirement of the R-2A Zone but proposed Lot 21 would require a 20' lot frontage variance and proposed Lot 22 would require a 15' lot frontage variance where 100 feet is required in the R-2A Zone.

f) Using A-9 he indicated that there are eight (8) lots in the immediate R-2A Zone and seven (7) of which have a lesser frontage than the proposed lots of Applicant and only one conforms with the 100 foot requirement (Lot 16, 70', Lot 17, 70', Lot 18, 70', Lot 19, 70', Lot 20, 85', Applicant's Lots, 165' and Lot 23, 100'). He further indicated that Lot 23 even though it has a compliant frontage does not meet the lot area requirement of 20,000 square feet in that it only contains 18,686 square feet.

g) Referring to A-8 he indicated that it shows an existing in-ground swimming pool, three car garage, a combined greenhouse and shed, a slate patio, all of which are on Lot 21 and all of which are proposed to remain. The existing decks, walkways, playground and circular part of the driveway will be removed.

h) The proposed plan is more compliant with the maximum coverage requirements than what exists.

i) There are three (3) other R-2A Zones in the Borough all of which are south of this Mantoloking Bridge and on Ocean Avenue and Runyon Lane, none of which can be seen from Applicants' Property. He referred to A-10 to show this.

j) The house directly adjacent north of the Applicant's Property has been razed and the lot (Lot 20) is presently vacant as can be seen on A-11.

k) The existing driveway on the southerly proposed Lot 22 will remain.

l) Stormwater Management has been designed to keep all drainage on Property and all proposed improvements on Property will be FEMA complaint; and

WHEREAS, Mr. Witkowski asked Mr. Lindstrom about variances required for the accessory structures and Mr. Lindstrom responded that all accessory structures indicated as to remain are grandfathered by virtue of previous approvals.

Mr. Witkowski asked if Mr. Lindstrom believed that a 20' variance was di minimis and Mr. Lindstrom responded that, in this case, he thought it was; and

WHEREAS, Mr. Witkowski opened the meeting for questions of Mr. Lindstrom and the following came forward:

1. Mr. Steve Wilder of 1057 Barnegat Lane (Block 24, Lot 21) asked what the setbacks were to the proposed building footprints from Barnegat Lane. Mr. Lindstrom responded that is was 208.9' for northerly Lot 21 and 159.2' for southerly Lot 22.

2. Ms. Connie Peterson, 1052 Barnegat Lane (Block 22, Lots 18 & 18.01) asked if the pool will remain and will it be refurbished. Mr. Lindstrom responded that the pool will remain at 125' from the bulkhead. In addition, Ms. Peterson inquired as to the boat lifts. Mr. DeVincens, the Board Attorney, responded that the boat lifts are on the dock which is in the Barnegat Bay and not within the jurisdiction of this Board.

3. Mr. Donald Ness, 1055 Barnegat Lane (Block 24, Lot 19) asked what the front setback (from Barnegat Bay) was and Mr. Lindstrom indicated that it was 53.2'; and

WHEREAS, Mr. Carroll then called John D. Maczuga, PP, AICP, who is President of JDM Planning, 614 Harbor Road, Brick, New Jersey 08724, who indicated that he received a degree in Government from Kings College, a Masters in City Design from Rutgers in 1972, he received his Professional Planning License from New Jersey in 1976, and was a Charter Member of the AICP. He has represented municipalities, administrative boards and private development clients. He has testified on numerous occasions before Planning and Zoning Boards and in the Superior Court of New Jersey. He has previously testified before this Board. His credentials were accepted and he then testified as follows:

1. In preparation of his testimony he reviewed the Mantoloking Master Plan and Re-examination Report, the Zoning Ordinance of the Borough of Mantoloking, the Barbara Allen Woolley-Dillon Memorandum dated May 7, 2015 (marked B-2), visited the site and reviewed the plans prepared by Lindstrom, Diessner & Carr.

2. The proposed Subdivision Plan provides extended setbacks from Barnegat Lane and extensive landscaping, both on site and the street side, which provides a visual barrier from Barnegat Lane.

3. The Plan shows the removal of certain existing improvements which will result in a clean-up of Property.

4. The R-2A Zone has a minimum 20,000 square foot requirement for lot area and a 100 foot lot width. The Property meets the minimum 20,000 square foot area requirement but the proposed subdivision would require a 20' and 15' frontage variance for proposed Lots 22 and 21 respectively.

5. The R-5A Zone is immediately south of Property and has a 7,500 square foot minimum lot area requirement and a 75' minimum lot frontage requirement.

6. The R-6A Zone is immediately to the east and across Barnegat Lane from Property and has a 5,000 square foot minimum lot area requirement and a 70' lot width requirement.

7. The R-4A Zone immediately to the adjacent north of Property has a minimum 10,000 square foot lot area requirement and a minimum 70' lot width requirement.

8. Seven (7) out of the eight (8) lots in this R-2A Zone do not meet the existing R-2A Zone requirements. The Property which is the subject of this Application, in its existing configuration, is the only fully conforming property in the R-2A Zone as to lot area and lot width.

9. Excluding the 165' lot width of the Property the average lot width of the other seven (7) properties in this R-2A Zone average 77.5'.

10. The five (5) lots to the immediate north of the subject site are located in the R-2A Zone.

11. The properties on the west side of Barnegat Lane are zoned R-4A with a 10,000 square foot minimum lot size and 70' minimum lot width.

12. Only three (3) of the seven (7) lots in R-2A Zone are greater than 70' in width, four (4) of seven (7) are 70' in width.

13. The prevailing concern in developing Land Use Districts was to minimize the number of non-conforming properties in each district. As a result, the Land Use Plan was designed so that no more than 30 percent of the properties in any one district are non-conforming.

14. Referring to Exhibit A12 and specifically to I (the R-2A Zone in which Property is located), he testified that only 1 of the 7 (14.2%) lots within that R-2A Zone presently fully conforms to both minimum lot area (20,000 square feet) and lot frontage (100').

Relating to II of A12 (Block 27, Lots 21 through 30 off Ocean Avenue that 8 of 10 (80%) that are within that R-2A Zone the proposed lots presently are the only that fully conform to both the 20,000 square foot lot area requirement and 100' lot frontage requirement.

15. Four (4) R-2A Districts all meet intent of no greater that 30 percent non-conforming lots except the R-2A District containing subject Property where it's the only

conforming lot and it would have been consistent with R-2B Zone requirements and the expressed intent of developing zoning wherein less than 30% of existing lots would be rendered non-conforming with respect to lot are and width.

16. The c(2) provision allows the Board to grant relief in instances where the purposes of the MLUL would be advanced by a deviation from the strict application of the zoning requirements and the benefits of such deviation would substantially outweigh any detriment.

17. The Applicant still has the burden of satisfying the negative criteria i.e. the relief sought can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan (Master Plan) and the Zoning Ordinance of the Borough of Mantoloking.

18. His opinion is that the relief sought for relief from the minimum lot width requirements of the R-2A Zone, where 100' is required and 80' and 85' are proposed, can be granted under the c (2) provision of the Statute.

19. The grant of the requested lot width relief would create two (2) lots that promote the general welfare by promoting the purpose of the Statute and therefore represents better planning for the site versus the strict application of the 100' minimum lot width requirement which in this instance means maintaining the 1.372 acre, 165' wide lot. The purpose of the Act is to promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and the preservation of the environment. Granting the relief sought will create more harmonious lot sizes in the R-2A Zone and with those in all other adjoining zones, particularly as it relates to lot width, and therefore promotes this purpose.

20. The subject Property is over three (3) times the prescribed minimum lot size. Were the relief granted and the lots subdivided as proposed, the created lots would be the second and third largest lots in the R-2A Zone by area.

21. He indicated there would be no significant detriment, visual, aesthetic, traffic, etc. to the grant of the lot width relief, therefore, the benefits of granting relief, i.e. more consistency with the character of the area and more harmonious lot sizes, substantially outweigh any detriments.

22. It is his opinion that the relief requested can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance.

23. He feels the proposed improvements are a significant aesthetic and visual improvement to the Property and the proposed 80' and 85' lot widths are more in character and more harmonious with the remaining lots in the R-2A Zone and the adjoining properties to the north, south and east, across Barnegat Lane, and hence will serve to benefit both the adjoining neighbors (immediate public) and the Borough in general.

24. Based on his review of the 2006 Master Plan he saw nothing relevant to planning issues related to the application of the Property in this matter, and concluded that the grant of the relief requested will have no substantial detriment to the intent and purpose of the Borough's 2006 Zone Plan (Master Plan).

25. He believes that the proposed subdivision of the Property is consistent with the specifically stated intent of creating Zoning Districts wherein the lots are substantially consistent in size and character and that the grant of the relief sought will have no substantial detriment to the intent and purpose of the Borough's Zoning Ordinance; and

WHEREAS, Barbara Allen Woolley-Dillon, P.P., A.I.C.P., the Land Use Officer of the Borough and acting as a Planning Consultant to the Board in this matter testified as follows:

1. She referred to her Memorandum dated May 7, 2015 which was distributed prior to the meeting to all Board Members, the Applicant's Planner, Mr. Maczuga and the Applicant's Attorney. The Memorandum was marked into evidence.

2. She traced some of the history of this Property under the ownership of The CAM Trust and specifically the results of its Application and a certain Resolution 04-01 which approved accessory structures which are presently occupying the Property including sanitary facilities in the garage, lot coverage in excess of 6,500 square feet, increasing the lot coverage from 10,644 square feet to 11,605 square feet, combining the shed and greenhouse into one structure, maximum permitted height for a detached accessory structure (garage) where 15' was permitted and 17'5" was provided and a front yard setback where 35' was required and 25' was provided.

3. She outlined the R-2A zoning requirements, what existed on the property and what was proposed by the Application and confirmed the variances requested.

4. As it related to the variances requested, she stated that the Borough conducted a very thorough land use analysis as part of the 2002 Master Plan and 2006 Reexamination which included a detailed review of each and every parcel of property in the Borough. The current Zoning Ordinance was amended in 2003 to reflect the recommendations contained in that report.

5. That pages 5 and 6 of the Master Plan discussing the General Land Use Element indicate that the Land Use Plan is based on the existing "lot pattern and development characteristics of the Borough and it is recommended that this Plan be the basis for a new Zoning Ordinance." She further indicated that pages 6 and 7 of the Master Plan in discussing Goals and Objectives says "(t)he overriding goal of the Land Use Plan Element for the Borough of Mantoloking is to preserve and conserve the existing viable residential character of the Borough."

6. She reiterated that the first two goals of the Master Plan were, a) to insure that new development in the Borough is consistent with the existing character of homes and neighborhoods, and b) to protect public and private open space areas by eliminating the potential for overcrowding.

7. That the proposal of the Applicant for a frontage of 20' on Lot 21 and for 15' on Lot 22 are not de minimus deviations as testified to by Mr. Lindstrom. She stated that Lot 21 will have just 80% of the minimum required lot frontage while Lot 21 will have only 85% of the minimum required lot frontage.

8. That there are thirty three (33) total properties in all of the R-2A Zones in the Borough (2002 Master Plan) and the average street frontage was 97' and the proposed Application presented lots that are 82.5% (Lot 21) and 87.6% (Lot 22) of the average lot frontage in the R-2A Zoning District. That 87% of the dwellings in the R-2A Zone meet the Zoning requirements.

9. That the 2002 Master Plan further states that based on a Lot frontage of 100' as required, 76% of the properties in the R-2A Zone conformed.

10. That the subdivision of the Property as proposed is not consistent with the Master Plan and existing Zoning Ordinances of the Borough; and

WHEREAS, Robert Mainberger, P.E. of Hatch Mott MacDonald the Borough Engineers testified:

1. Because of the irregular shore line of Property the development as proposed would disrupt the site lines and would have an adverse impact on the surrounding properties; and

WHEREAS, the following comments, observations and findings were made by the Members of the Board:

1. Mr. Robert McIntyre and Mr. Witkowski, both members of the Mantoloking Fire Department stated:

a. The Property is located on what is essentially a peninsula.

b. The geometry of the driveway and the proximity of the proposed footprints of the houses would make emergency vehicle access very difficult especially to the northerly proposed property.

2. Mr. Robert McIntyre would have been more comparable in determining this Application in that he believes it would have an extraordinarily high impact and he would have preferred to see the dwellings proposed (though he knows that is not a requirement). He feels that would have aided him in assessing the impact.

3. Ms. Denise Boughton agrees that the Property is beautiful but she if very troubled by the number of accessory structures which would remain on the now proposed significantly smaller northerly lot.

4. Ms. Susan Laymon believes that the 20' and 15' requested lot frontage variances are significant and not de minimus.

5. Mr. Steve Gillingham believes the Property is a community landmark and it is extraordinary in size and shape and not out of harmony with the Borough or neighborhood. He does not believe the Applicant showed any hardship nor does he feel the Application advanced any purposes of zoning.

6. Ms. Jane White indicated she has never read as much concerning any previous application and concluded that the Applicant takes away so much of the "holy grail" of Mantoloking properties. She was disturbed by the Applicant's refusal to remove any of the accessory structures approved by Resolution 04-01 which were approved when the Property was a single much larger lot.

7. Mr. Daly concurred with the comments made by the other Board Members.

8. Mr. Witkowski reviewed the previous accessory uses approved and believes the now proposed smaller northerly lot is adversely impacted by their presence and there was no effort on behalf of the Applicant to minimize that impact. That he, like Mr. McIntyre, would have preferred to see proposed dwellings in the footprints to better consider the Application. He does not feel that the subdivision would preserve the character of the neighborhood and is concerned with the reduction of light, air and open space. He feels the Application is out of step with the 2002 Master Plan in that the proposal for two dwellings is an overuse of land, presents an increase in population and that the best use of the Property remains as a single fully conforming lot with a single dwelling. He does not believe that it is in the best interest of the Borough to create two nonconforming lots from one conforming lot.

9. Mr. Bixby was in favor of the Application and felt the lot frontages, as proposed were consistent with the neighborhood and that it is a unique Property but the Applicant should not be penalized as to the proposed use.

10. Mr. Duggan was likewise in favor of the Applicant's proposal and that a compelling argument was made for its approval.

NOW, THEREFORE, for the facts and reasons above, the Mantoloking Planning Board finds that the relief requested by the Applicant cannot be granted without subsequent detriment to the public good and would substantially impair the intent and the purpose of the Zone plan and ordinances of the Borough and on this 6th day of August, 2015 denies the relief as requested by the Applicant.

CERTIFICATION

I, Susan Laymon, Secretary of the Planning Board of the Borough of Mantoloking, do hereby certify that the foregoing is a true copy of the Resolution duly adopted by the Planning Board on the 6th day of August, 2015, and memorializes and confirms the actions taken by the Planning Board in now approving the request by Applicant for relief at the regular meeting held on June 4, 2015.

Susan Laymon

SUSAN LAYMON, Secretary

MEETING OF JUNE 4, 2015
TO PREPARE A RESOLUTION TO DENY

	Moved	Seconded	Yes	No
Stanley Witkowski	X		X	
Robert S. McIntyre			X	
Evan S. Gillingham		X	X	
D. Mark Hawkings				
Joseph Daly			X	
Jane G. White			X	
Elizabeth Nelson				
Denise Boughton			X	
Courtney Bixby				X
Susan Laymon, (Alt.)			X	
Michael Duggan, (Alt.)				X

Absent : Ms. Nelson, Mr. Hawkings

Not Voting or Recused:

MEETING OF AUGUST 6, 2015
VOTE TO APPROVE RESOLUTION TO DENY

	Moved	Seconded	Yes	No
Stanley Witkowski			X	
Robert S. McIntyre		X	X	
Evan S. Gillingham	X		X	
D. Mark Hawkings				
Joseph Daly			X	
Jane G. White			X	
Elizabeth Nelson				
Denise Boughton			X	
Courtney Bixby				
Susan Laymon, (Alt.)			X	
Michael Duggan, (Alt.)				

Absent :

Not Voting or Recused: