



# **Mantoloking Reporter**

**February 6, 2013**

**Number 460**

The special meeting of the Mayor and Council was called to order February 6, 2013 at 3:30 PM by Mayor Nebel. Councilman Strohm was absent.

The agenda for the special and regular business meetings will be made available in advance of the meeting on the Borough website.

Not included in the original agenda - the introduction, by title only, of a new Flood Damage Prevention Ordinance providing for the adoption of the Advisory Base Flood Elevation Maps and the adoption of a Resolution providing for the execution of Debris Removal and

Demolition Contract, pursuant to Fema Requirements.  
The revised agenda was approved with one vote against.

**Councilman Gillingham**, Finance Committee , moved three resolutions - authorizing and adopting a standard tort claim notice form, introduction of Ordinance 617 amending Chapter XXX land use regulations of the Borough of Mantoloking code and introduction of Ordinance 618 providing for the adoption of the revised model flood damage prevention. Ordinance 617 will allow for permitting of RVs and boats to be lived in by homeowners while homes are being repaired/rebuilt. It also incorporates the ABFEs into Manto land use regs, but appealing to FEMA with regard to the Coastal AE/AV and bayfront V zones regarding required elevations. Manto will maintain the first floor elevation to be the ABFE plus one foot of freeboard. An additional two feet will be required in the V zones. The ordinance will also replace the building height limitations with a variable standard defined as the vertical building envelope which will reflect the distance between the finished first floor level and the roof ridge....32 feet ocean front, 30 feet for all others. Permitted lot coverage will also be increased to account for additional steps required to access a higher building...200 sq ft front and rear, 75 sq ft one side. Beach front minimum front yard setback reference will replace scarp line with a dune reference/seawall line.

Copies of all ordinances introduced and resolutions adopted shall be maintained on file for public examination at Borough Hall or on Manto website.

**Councilman Mc Intyre**, Public Safety Committee - moved two resolutions - appointment of OEM hurricane recovery part time help and the granting of governing authorities the right of entry onto private property for the purpose of debris removal, demolition and other matters to facilitate recovery without obtaining the permission of the owner. There was some discussion regarding item "9" hold harmless clause and whether the Borough is sufficiently insured.

**Councilwoman Nelson**, Public Works Committee, moved 1 resolution pertaining to the emergency roadway repairs and reconstruction contract - payment 1 IEW construction Group \$214,311.35

Three presentations followed - Planning Board President, Tom

McIntyre, Bob Mainberger and Chris Nelson

***Public Comments Session***

***UPDATE 6 - CHRIS NELSON***

Outline of update posted on Borough website!

Highlights - Congress passed in excess of 60 b in supplemental aid FEMA aid 3.8 b community development for restoration of municipal properties, 5.3 b in disaster relief and 3.4b for Army Corps of Engineers, 2.92 b earmarked for future projects such as risk mitigation.

Please do not demolish! A contract has been awarded for the removal of large debris from the bay. The State has agreed to remove homes. Sand will be removed to the standard of 2 feet below the largest navigable boat at low tide! The target is for 75% completion by June 1.

Utilities - water and sewer done - gas good with the exception of areas along Barnegat Lane. New electric meters are being installed - BE SURE YOUR BREAKERS ARE OFF !!! During the first 5 days of Route 35 open access, 12 tickets have been issued for unwanted tourism, 4 suspended drivers and 4 scrapping. There were also 7 arrests...1 disorderly and 2 trespass. The point being...LAW ENFORCEMENT IS ON THE CASE! Please keep in mind the speed limit on Route 35 is 25 MPH for the time being.

The Borough has submitted plans for repopulation...still some obstacles with roads and public safety issues....hoping for March 1.

***Bob Mainberger***

We are still hoping for 100% signing of the easements. Bob Mainberger has spent endless hours drafting much clearer wordage and references. Bottom line...it will take you 350 steps to reach the high tide line from the new dune!!! The new charts are on the website. Please refer to them for exact measurements. The ACE project will deposit over 2 million cubic yards of sand in Manto....and it would all be replaced in the event of destruction..even on private property. No toe of the dune will be closer than 20 feet to a "structure". The new easement has been posted. There are a few changes regarding date of signing, twilight date for lapse, chiefs report reference time, dune reference and public trust doctrine.

***Tom McIntyre***

A review of the proposed changes to our land use were explained in great detail...as set forth in 617/618. A complete copy is posted on the website. The key elements deal with vertical building envelope and lot coverage. Tom explained the ABFE maps, which were already in process when Sandy hit. The release was accelerated to give some guidance to its victims. The final maps will be approved in early 2014.

The objective of the planning board is to minimize the need for variances and to maintain the character of the community as set forth in the Master Plan...building heights, lot coverage, setbacks, FIRMS, etc. The ABFE changes are greater on the bay 6' to 13'. The ocean goes to 17 and the A zone to 8'. Manto will not adopt the AV recommendation by FEMA. For the Vertical Building envelope as measured from the ABFE plus 1, oceanfront is 32' first floor to roof ridge line, others 30'. These new bulk standards will only apply to new and elevated homes. As for lot coverage, allowances for steps and landings will be applied if built with and above pervious materials...as previously outlined in the ordinance described earlier. There will be dramatic changes in flood insurance rates...which now need to be commensurate with risks. The phase in will take place over 5 years. The new structure will be tiered with incentives for elevation and mitigation to reduce risks. Most likely the "pre-firm" designation will disappear and be blended into the prevailing structure.

## **Questions**

I have tried to get all the names correctly recorded whenever possible

Richardson-981 East

Signed the easement - can Manto stand alone on the ACE renourishment or does the entire barrier island need to sign on - Manto can do it alone but we need to encourage other towns to participate as it will extend the life of the effort.

Gilmore - Barnegat

do we need 100% signing in Manto - what happens if we don't get it? objective is for 100%..we need to encourage signing wherever possible ...town will explore options if less than 100% but litigation is expensive and socially disruptive and divisive...need to stay focused on obtaining 100% signage.

Donahue - East ave

where can we find info on the dune/seawall reference on property - should be on deed or tax map. As an aside, it was mentioned that stakes have been placed on the beach to prevent private dozing of sand onto private properties.

Steenland - South Lagoon

planning on raising bay front home to 13' - is there a chance the final ABFE will be higher? - do not believe so...attempts are being made to negotiate lower ABFE in the AV zone. use these as a reference..if they do go lower you will enjoy insurance rate benefits.

Kovaks - Barnegat

any chance for bay v zone change - no indication that the v zone designation will be dropped - could see lower ABFE...the town will be flexible and adopt the final map

Gallo - Barnegat

do you have to bring a 50% damaged home entirely up to the new standard?- if your house is deemed 50% you must conform with all of the requirements of new construction in your designated zone. If less than 50% you can elevate only at your discretion. If rehabbing the home, you do not need to replace windows, etc...refer to REHAB CODE

Donaldson - Barnegat

where can you find out your zone - look at FEMA maps - large scale maps can be viewed at Boro Hall. Do steps need to be inside building envelope - no as long as previous...however, they cannot be closer than 5' from a side setback ...specifics in land use . Set back issues are different from lot coverage. If your home bridges 2 zones, the more stringent zone applies.

Becker - East

Signed the easement. Will town support individual initiatives with regard to the adding of rock revetments to augment replenishment program since replenishment could be 3 years away? Manto is pushing sand to augment daily...sand is being removed from the bay and returned to the beach. We are exploring other technologies. The problem with rock revetments is that it helps the individual homeowner but decimates the neighbors as we saw with Sandy.

It has been learned that Bay Head is not looking at replenishment, but rather extending their rock revetments south. This is not good news for those living in the northern end of Manto. The DEP is not in favor of individual rock revetments because of the detriment to neighbors.To

date, Bay Head has not been issued the permit to begin.

Ring - Ocean

is there something more we can be doing to expedite funding and time line for ACE project - project funding has been approved....the DEP/ACE agreement needs to be signed. Could begin in as early as one year if pressure is kept on - NEED EASEMENTS!!!

The next regular meeting will take place on February 26, 2013 at the Brick Township Municipal Court 401 Chambers Bridge Road 4:30 PM



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