

Office of the Board of Commissioners  
Borough of Monmouth Beach  
March 11, 2014, 11:00 a.m.  
SPECIAL MEETING

The following statement was read by Mayor Susan Howard:

This meeting is called pursuant to the provisions of the open public meetings law. Notice of this meeting was published in the Asbury Park Press and The Link News on March 6, 2014. In addition, a copy of this notice was posted on the bulletin board in the Municipal Building and filed in the office of the Municipal Clerk on that date, where it has remained continuously posted as required under Statute.

Pledge of Allegiance

Mayor Howard called the meeting to order at 11:00 am.

Present – Mayor Howard, Commissioner Cunniff

Absent – Commissioner McBride

Commissioner Cunniff moved, seconded by Mayor Howard that the reading of the minutes of the previous meetings held on January 7 and January 28, 2014 be dispensed with and that they stand as recorded.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

Commissioner Cunniff moved, seconded by Mayor Howard that bills totaling \$30,360.77 which have been reviewed by their respective department heads be approved for payment.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

Mayor Howard noted that there were six Resolutions listed on the Consent Agenda that would grant construction variances to several properties in town. She noted that either the homeowners or their representatives were present.

Mayor Howard explained that by granting the variances the homeowners faced possible consequences down the road depending upon what actions FEMA may take. She said it was important to understand that FEMA currently recommended V-Zone construction in a Coastal A zone but that they may require it at some point. Mayor Howard said that the town would ultimately adopt and apply the new FEMA maps.

Those present for the construction variances acknowledged that they understood the possible risk they were taking by requesting the variances.

Commissioner Cunniff moved, seconded by Mayor Howard that the following Consent Agenda items be passed and adopted:

**RESOLUTION AUTHORIZING AN  
AGREEMENT WITH THE MONMOTUH COUNTY  
MOSQUITO EXTERMINATION COMMISSION**

**BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach, in the County of Monmouth, State of New Jersey, a municipal corporation, does hereby authorize the Monmouth County Mosquito Extermination Commission to apply pesticides from aircraft to control mosquito over portions of the Borough of Monmouth Beach; and

**BE IT FURTHER RESOLVED** that this approval is subject to the Monmouth County Mosquito Commission notifying the local police department prior to each and every application; and

**BE IT FINALLY RESOLVED** that the Mayor and Municipal Clerk be and are hereby authorized to execute an agreement with the Monmouth County Mosquito Extermination Commission for pesticide application for the Borough of Monmouth Beach for the year 2014.

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**RESOLUTION OF THE BOROUGH OF MONMOUTH BEACH REQUESTING AN EXTENSION OF APRIL 1, 2014 TERMINATION DATE FOR FEMA HOUSING ASSISTANCE FOR FAMILIES DISPLACED AS A RESULT OF DAMAGE CAUSED TO THEIR HOMES BY SUPERSTORM SANDY**

WHEREAS, citizens of the Borough of Monmouth Beach have been displaced from their homes as a result of damage sustained by Superstorm Sandy; and

WHEREAS, many of these residents required substantial repairs or total replacement of their homes; and

WHEREAS, delays to commencement of constructions have been created by the Federal, State and local governments as a result of new flood mapping, insurance claims and new building regulations creating an additional hardship on these displaced residents; and

WHEREAS, the Borough hereby requests the support of neighboring municipalities, our local legislators, County Freeholders and the Governor, for their support in petitioning FEMA for a six (6) month extension of the April 1, 2014 termination of Federal relocation assistance for those families who are still without a residence in the aftermath of Superstorm Sand.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Monmouth Beach that a copy of this Resolution be provided to the following:

1. Governor Chris Christie
2. Senator Joseph M. Kyrillos
3. Assemblywoman Amy H. Handlin
4. Assemblyman Declan J. O'Scanlon, Jr.
5. Monmouth County Freeholders
6. The neighboring municipalities of Rumson, Fair Haven, Shrewsbury Borough, Oceanport, Little Silver and Sea Bright.

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**RESOLUTION**

**WHEREAS**, one (1) bid was received by the Municipal Clerk of the Borough of Monmouth Beach on March 6, 2014, for the lease of the Monmouth Beach Bathing Pavilion Concession for the 2014, 2015 and 2016 Summer Seasons; and

**WHEREAS**, the Board of Commissioners have reviewed said bid;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey, that the lease for the Monmouth Beach Bathing Pavilion Concession for the 2014 Summer Season be awarded to HS Concessions, Inc., 5 Holland Avenue, Oakhurst, N.J., 07755, in the amount of forty thousand five hundred dollars (\$40,500.00) for the 2014 season, with the option to renew in the amount of forty one thousand dollars (\$41,000.00) for the 2015 season; and in the amount of forty two thousand dollars (\$42,000.00) for the 2016 season; and

**BE IT FURTHER RESOLVED** that the Borough of Monmouth Beach shall have the option to renew the lease on or before April 1<sup>st</sup> of each upcoming lease year as set forth in the Lease Agreement; and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk be authorized to execute the contract for same.

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**RESOLUTION**

**WHEREAS**, proposals were solicited by T&M Associates, Borough Engineers, on behalf of the Borough of Monmouth Beach for a project entitled:

MONMOUTH BEACH BATHING PAVILION- POOL PUMP/FILTER  
EQUIPMENT RELOCATION AND RE-PIPING; and

**WHEREAS**, the Board of Commissioners of the Borough of Monmouth Beach have reviewed the recommendation made by the Borough Engineer on said proposal as set forth in a letter dated March 10, 2014;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth and State of New Jersey that the contract for the project entitled:

MONMOUTH BEACH BATHING PAVILION- POOL PUMP/FILTER  
EQUIPMENT RELOCATION AND RE-PIPING

be awarded to Aquatic Integrity, 681 Cassville Road, Jackson, NJ 08527, in the amount of Twenty Seven Thousand Eight Hundred Fifty Six Dollars (\$27,856.00); and

**BE IT FURTHER RESOLVED** that this award is subject to the review of the Borough Attorney and the Certification of Funds by the Chief Financial Officer; and

**BE IT FINALLY RESOLVED** that the Mayor and Municipal Clerk be authorized and directed to execute the contract for same.

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\* On Friday, March 7, 2014 bids for the above referenced project were received by the Municipal Clerk. The bids submitted were the following:

Bidder	Proposal
Shorelands Construction, Inc.	\$189,600.00
George Koustas Painting & Construction LLC	\$235,000.00
Altec Building Systems	\$244,100.00

**RESOLUTION**

**WHEREAS**, Three (3) bids were received by the Clerk of the Borough of Monmouth Beach on February 21, 2014 for a project entitled “Monmouth Beach Bathing Pavilion Phase X – Entry Renovation and Second Floor Roof;” and

**WHEREAS**, the Borough Engineer has reviewed said bids and has made a Recommendation of Award as set forth in a letter dated March 10, 2014; and

**WHEREAS**, the Borough Attorney has reviewed said bid and deemed it to be in proper legal form; and

**WHEREAS**, the Chief Financial Officer has determined that sufficient funds are available as is evidenced by the Certification of Funds attached hereto and made a part hereof,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth, State of New Jersey that the contract for the project entitled “Monmouth Beach Bathing Pavilion Phase X – Entry Renovation and Second Floor Roof” be awarded to Shorelands Construction, Inc., 7 Columbus Drive, Monmouth Beach, NJ in the amount of One Hundred Eighty Nine Thousand Six Hundred Dollars (\$189,600.00); and

**BE IT FURTHER RESOLVED** that this award shall be contingent upon the execution of a Business Entity Disclosure Certification as well as all other submissions as required by law; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk be authorized and directed to execute the contract for same.

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**RESOLUTION**

**WHEREAS**, proposals were solicited by T&M Associates, Borough Engineers, on behalf of the Borough of Monmouth Beach for a project entitled:

INSTALLATION OF FIRE SUPPRESSION SYSTEM AT THE MONMOUTH BEACH  
BATHING PAVILION SNACK BAR; and

**WHEREAS**, the Board of Commissioners of the Borough of Monmouth Beach have reviewed the recommendation made by the Borough Engineer on said proposal as set forth in a letter dated March 10, 2014;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Monmouth Beach, County of Monmouth and State of New Jersey that the contract for the project entitled:

INSTALLATION OF FIRE SUPPRESSION SYSTEM AT THE MONMOUTH BEACH  
BATHING PAVILION SNACK BAR

be awarded to Seaboard Fire and Safety in the amount of Four Thousand Six Hundred Twenty Six Dollars And Eighty Five Cents (\$4,626.85); and

**BE IT FURTHER RESOLVED** that this award is subject to the review of the Borough Attorney and the Certification of Funds by the Chief Financial Officer; and

**BE IT FINALLY RESOLVED** that the Mayor and Municipal Clerk be authorized and directed to execute the contract for same.

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**A RESOLUTION GRANTING A VARIANCE TO LOT 37.02 BLOCK 45.01  
(11 JOHNSON STREET) FROM THE  
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 37.02 Block 45.01 and more commonly known as 11 Johnson Street seeks the following relief:

- 1. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

**WHEREAS**, the property owner has represented that he will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or A zone; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 37.02 Block 45.01 and more commonly known as 11 Johnson Street, from the strict application of Floodplain Construction Standards in particular as follows:

1. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
2. A Zone construction techniques shall be utilized; and
3. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
4. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief

may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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**A RESOLUTION GRANTING A VARIANCE TO LOT 33 BLOCK 45.03  
(19 VALENTINE STREET) FROM THE  
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 33 Block 45.03 and more commonly known as 19 Valentine Street seeks the following relief:

**2. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

**WHEREAS**, the property owner has represented that he will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or A zone; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 33 Block 45.03 and more commonly known as 19 Valentine Street, from the strict application of Floodplain Construction Standards in particular as follows:

5. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
6. A Zone construction techniques shall be utilized; and
7. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
8. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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**A RESOLUTION GRANTING A VARIANCE TO LOT 9 BLOCK 44.03  
(2 HASTINGS PLACE) FROM THE**

**STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 9 Block 44.03 and more commonly known as 2 Hastings Place seeks the following relief:

**3. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

**WHEREAS**, the property owner has represented that he will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or A zone; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 9 Block 44.03 and more commonly known as 2 Hastings Place, from the strict application of Floodplain Construction Standards in particular as follows:

9. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
10. A Zone construction techniques shall be utilized; and
11. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
12. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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**A RESOLUTION GRANTING A VARIANCE TO LOT 1.01 BLOCK 54  
(43 VALENTINE STREET) FROM THE  
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program; and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 1.01 Block 54 and more commonly known as 43 Valentine Street seeks the following relief:

**4. Relief from the requirement that Coastal A Zone properties employ V-Zone construction standards; and**

**WHEREAS**, the property owner has represented that he will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the use of V-Zone construction standards in a Coastal A zone is not a mandatory requirement under federal guidelines and remains a recommendation to local government entities; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen not to mandate V-Zone construction techniques in a Coastal AE or A zone; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 1.01 Block 54 and more commonly known as 43 Valentine Street, from the strict application of Floodplain Construction Standards in particular as follows:

13. The owner shall not be required to construct in accordance with V-Zone standards for the proposal that will raise the structure as more fully outlined in the owner's submission; and
14. A Zone construction techniques shall be utilized; and
15. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
16. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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**A RESOLUTION GRANTING A VARIANCE TO LOT 23.01 BLOCK 28  
(65 MONMOUTH PARKWAY) FROM THE  
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program: and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 23.01 Block 28 and more commonly known as 65 Monmouth Parkway seeks the following relief:

**5. Relief from the construction requirements in a V-Zone designation under the Advisory Base Flood Elevation (with an elevation at 10) when the preliminary maps places the property in an "AE" Zone with a BFE at 8; and**

**WHEREAS**, the property owners have represented that they will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the Advisory Base Flood Elevations are not a mandatory requirement under federal guidelines and remains a recommendation to local

government entities and that the Federal Government's preliminary maps have changed zone designations; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen to modify the ABFE's and state that the preliminary maps are now the "best available flood data; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 23.01 Block 28 and more commonly known as 65 Monmouth Parkway, from the strict application of Floodplain Construction Standards in particular as follows:

17. Relief from the construction requirements in a V-Zone designation under the Advisory Base Flood Elevation (with an elevation at 10) when the preliminary maps places the property in an "AE" Zone with a BFE at 8; and
18. A Zone construction techniques shall be utilized; and
19. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
20. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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**A RESOLUTION GRANTING A VARIANCE TO LOT 80 BLOCK 40  
(44 MEADOW AVENUE) FROM THE  
STRICT APPLICATION OF FLOODPLAIN CONSTRUCTION STANDARDS  
IN THE BOROUGH OF MONMOUTH BEACH  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**WHEREAS**, the Borough of Monmouth Beach participates in the National Flood Insurance Program: and

**WHEREAS**, The Borough of Monmouth Beach has adopted and enforces a local floodplain ordinance which incorporates the Federal Emergency Management Agency's (FEMA) floodplain standards and recommendations; and

**WHEREAS**, the owner of the residence located on Lot 80 Block 40 and more commonly known as 44 Meadow Avenue seeks the following relief:

- 6. Relief from the construction requirements in a V-Zone designation under the Advisory Base Flood Elevation (with an elevation at 10) when the preliminary maps places the property in an "AE" Zone with a BFE at 8; and**

**WHEREAS**, the property owners have represented that they will comply with the standards applicable to A Zones; and

**WHEREAS**, the Borough recognizes that the Advisory Base Flood Elevations are not a mandatory requirement under federal guidelines and remains a recommendation to local government entities and that the Federal Government's preliminary maps have changed zone designations; and

**WHEREAS**, although the Borough has adopted the maximum standards recommended by FEMA, the requested variance from the Borough standards should be permitted as the owner does not seek to deviate from a minimum standard promulgated by the federal government. Most significantly, the owner only seeks a deviation from a recommendation of the federal government; and

**WHEREAS**, the Borough recognizes that the grounds upon which variances can and should be granted are met because the federal government has chosen to modify the ABFE's and state that the preliminary maps are now the "best available flood data; and

**WHEREAS**, the Borough accepts the owner's representation that strict enforcement will result in undue hardship:

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Commissioners of the Borough of Monmouth Beach that a variance be granted to Lot 80 Block 40 and more commonly known as 44 Meadow Avenue, from the strict application of Floodplain Construction Standards in particular as follows:

21. Relief from the construction requirements in a V-Zone designation under the Advisory Base Flood Elevation (with an elevation at 10) when the preliminary maps places the property in an "AE" Zone with a BFE at 8; and
22. A Zone construction techniques shall be utilized; and
23. This variance is limited to the relief noted in Paragraph 1 for the proposed repair/reconstruction project that will be first permitted following this approval; and
24. No variance from any other applicable standard shall be considered granted unless specifically noted herein.

**BE IT FURTHER RESOLVED**, that the Owner is hereby put on notice that this relief may result in increased expenses or diminution in property value which may include but not be limited to increased flood insurance premiums. The owner, by proceeding to construct in accordance with this variance approval, acknowledges that the Borough of Monmouth Beach has granted this approval based on the owner's voluntary request and any adverse conditions created by such deviation from ordinance standards are the sole and exclusive responsibility of the owner.

**BE IT FURTHER RESOLVED** that a true and accurate copy of this resolution be placed on file with the construction office of the Borough of Monmouth Beach

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Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

*End of Consent Agenda*

The following Ordinance was read by title only by the Clerk:

**An Ordinance Amending And Supplementing Chapter VII Entitled "Parking Prohibited During Certain Hours," Subsection 7-15.2 Entitled "Parking Prohibited During Certain Hours On Certain Streets During Certain Times Of The Year" Of The Revised General Ordinances Of The Borough Of Monmouth Beach**

Commissioner Cunniff moved, seconded by Mayor Howard that the Ordinance be passed on title only and that the Clerk be instructed to advertise the Ordinance for a public hearing to be held on March 25, 2014, at a meeting beginning at 6:00 pm at the Monmouth Beach Cultural Center, 128 Ocean Avenue.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

Commissioner Cunniff moved, seconded by Mayor Howard that the meeting be opened to the public.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

There being no public comment and no further business,

Commissioner Cunniff moved, seconded by Mayor Howard that the meeting be closed.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-, Nay -0-, Absent -1-.

Commissioner McBride moved, seconded by Mayor Howard Cunniff that the meeting be adjourned.

Upon the call of the roll the foregoing motion was carried by the following vote: Aye -2-,  
Nay -0-, Absent -1-.

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Mayor Howard

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Commissioner Cunniff

ATTEST:

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Joyce L. Escalante, RMC  
Borough Clerk  
March 11, 2014