

Planning/Zoning Board of Adjustment Meeting

September 13, 2021

4400 New Jersey Avenue

Wildwood, NJ 08260

The meeting of the Wildwood Planning/Zoning Board of Adjustment was called to order on September 13, 2021 by Robert Belasco, Esq at 6:00 PM at Wildwood City Hall, 4400 New Jersey Avenue, Wildwood, NJ.

Robert Belasco led the Pledge of Allegiance.

Robert Belasco read the Open Public Meetings Act.

Roll Call:

Present: Joseph Spuhler, George Clark, Phil Swetsky, Nick Fluharty, Jason Hesley, Rich Gilson, Todd Kieninger, Steve Mikulski, Carly Sicilia

Absent: Brian Evans, Pasquale Arcuri, Krista Fitzsimons

Also present: Mrs. Kate Dunn (board secretary), Mr. Robert Belasco of Stefankiewicz & Belasco, LLC, Mr. Doug Rohmeyer of CME Associates.

New Business:

Applicant: Pacific Ave Redevelopment Plan

Michael Sullivan from Clark Canton & Hintz presented a brief presentation on the Pacific Ave Redevelopment Plan. A copy of the plan can be found on the City's Website.

Applicant: Yvonne & Scott Phillips 18-21Z

The applicant is self-represented. The property is located at 125 E. Roberts Ave., Block 127 Lot 6 in the R-3, High Density Residential Zoning District.

The property is currently occupied with a 7-unit condo in 3 separate principal buildings. The applicant is seeking a use variance to permit the construction of a 3-season room which will enclose a 12ft x 7ft roof cover over the remaining portion of the deck.

Yvonne Phillips stated that she is here requesting a 3-season sun room on a 2nd floor condo. The deck is existing and they are looking to enclose it. The room will have insulated walls but it will not be heated. The exterior will have a white knee wall with glass above it. She stated that the deck faces the rear of the property and it will not be an additional bedroom. It will be used as seating area.

Doug Rohmeyer from CME Associates reviewed the engineers report. He verified that the entrance patters will be the same and that it won't have an impact on any other unit. Ms. Phillips agreed to comply with any comments listed on the Engineers report.

No Members of the Public spoke on the application.

Robert Belasco did a recap of the application.

Nick Fluharty made a motion to move forward with the vote. Phil Swetsky 2nd the motion. The application was approved with 7 Yes votes.

Applicant: BL Development 1, LLC 09-21Z

Attorney: Jeffrey Barnes, Esq.

Engineer: Brian Murphy, M.V. Engineering

Jeffrey Barnes, Esq represents the applicant BL Development 1, LLC. The property is located at 240-242 E. Rio Grande Ave., Block 41, Lots 26 & 27 in the RM, Residential Multi-Family Zoning District & the H/M, Hotel/Motel Zoning District.

Mr. Barnes stated that the property is a 40ft by 100ft lot and is in a split zone. There was a duplex on the property but the owner has since demolished the structure so the property is currently a vacant lot.

Mr. Barnes stated that the applicant is seeking a use variance to construct a 5-unit multi-family structure. In addition to the use variance, the applicant will need variances for building height, side yard setbacks, principal building coverage and density.

James Levin, principle of BL Development is sworn in.

Brian Murphy, P.E. from M.V. Engineering was sworn in.

Mr. Levin went over the existing and proposed conditions for the board. He stated that grass and landscaping is proposed surrounding the buildings and white fence will be erected along the property line. He stated that the plans were revised a few times to accommodate the concerns of the neighbors.

Mr. Levin stated that the proposed 5-unit structure will be a townhouse style in the center and flat style condos on the end. Each unit will have 2 parking spaces. He noted they will comply with the front and year yard setbacks and the lot coverage requirements.

Mr. Levin stated that the exterior will consist of vinyl siding, fiberglass deck and Azec. He also gave a brief description of the interior layout.

Brian Murphy stated that the applicant is requesting a use variance as a 5-unit multi-family is not permitted in the RM or H/M Zoning Districts. He also stated they are requesting a variance for side yard set back and maximum building height. He believes that the project will promote several purposes of zoning including appropriate use or development which promotes the public safety, health and general welfare, secures safety from fire, flood or other natural disasters and promotes a desirable visual environment.

Mr. Murphy believes that it won't alter the Zone plan and there will be no negative impact to the public good or Zoning ordinance. He believes it will be a significant improvement to the neighborhood.

Doug Rohmeyer reviewed the engineers report including the building height and building coverage.

Members of the Public:

Christine DeAngelis from 231 E. Hand Ave was concerned about the building height. She stated she was generally satisfied with the proposal.

Robert Belasco did a recap of the application.

George Clark made a motion to move forward with the vote. Joseph Spuhler 2nd the motion.

The application was approved with 7 Yes votes.

Applicant: Kamal Ghobryal 15-21Z

Attorney: Brian Callaghan, Esq.

Architect: Raul, Cabato-RA Design Consultants, LLC

Brian Callaghan represents the applicant Kamal Ghobryal. The property is located at 250 E. Andrews Ave., Block 62, Lot 28.02 in the H/M, Hotel/Motel Zoning District.

Mr. Callaghan stated that about a year ago. Mr. Ghobryal was denied a use variance for 4 units so currently he has 2 units in the front and 1 unit in the rear. Now he is looking to covert the back unit to a pool house and move the 3rd unit to the front building.

Arthur Chew, P.E. was sworn in. He reviewed the proposed and existing site plan for the benefit of the board. He stated that the application is proposing to remove the existing pavers and install an in ground pool. The back unit will be eliminated to accommodate a pool house. He noted that there are no legal parking spaces on site.

Aydan Sedra, R.A. of A.S. Architectural Design, LLC was sworn in. He reviewed the layout for the benefit of the board. He noted that there will be a 2nd means of egress added. The pool equipment will be located inside the pool house. The kitchen and bedroom will be eliminated from the rear apartment. The bathroom will stay for the tenants when they are using the pool.

Mr. Chew stated that he believes that this application advances some purposes of zoning including improving impervious coverage and that the property fits into the character of the neighborhood. He noted that the property is already approved for 3 units and will remain 3 units.

Mr. Ghobryal stated that the ground floor unit will be used for family, the 2nd floor unit will be used by the owner and the 3rd floor unit will be rented. He stated they will not be converting this into a condo.

Doug Rohmeyer reviewed the engineers report.

Members of the Public:

Kenneth Waters from 246 E. Andrews Ave. said he lives right next store and is concerned about parking. He was not in favor of the application.

Jason Hesley made a motion to move forward with the vote. Phil Swetsky 2nd the motion.

The application was approved with 7 Yes votes.

Applicant: 2701 Associates, LLC 20-21Z

Attorney: Ron Gelzunas, Esq.

Engineer: Vince Orlando/Matt Hender, Engineering Design Assoc.

Ron Gelzunas, Esq represents the applicant 2701 Associates, LLC. The property is located at 2701 Ocean Ave., Block 247, Lots 1.01 & 1.02 in the T/E, Tourist Entertainment Zoning District.

Mr. Gelzunas stated that the applicant is the contract purchaser for 2701 Ocean Ave. also known as the old Hunt's Pier parking lot. In April, the applicant came in for a concept review to construct car ports with solar on top of the car ports.

Kevin Hamm from Geo Scape Solar was sworn in. He stated that the carport structure is similar to the roof top solar. They have been approved by Atlantic City Electric and State of New Jersey and will be used for their use only. It will help offset the piers electric bill.

Vince Orlando, P.E. was sworn in. He stated that this has been parking lot since the early 60's and is currently due for an upgrade. They currently have angled parking spaces and the asphalt is cracking. He stated that the applicant is looking to rebrand and upgrade the parking lot. He stated they will be replacing the existing surface and it will be repaved. There will be fencing and landscaping around the property and lighting will be better suited.

Mr. Orlando stated that there will be 3 separate means of egress. Currently there are 182 parking spaces and 186 spaces are proposed. There will be handicap parking as well.

Mr. Orlando stated that this a pre-existing non-conforming use and that they are exacerbating any conditions. In fact, they are trying to make it better. Mr. Orlando reviewed all pre-existing conditions and noted that they are reducing the lot coverage from 98.6% to 95.8%. He stated that the applicant is requesting a waiver for signage. He believes that the benefits outweigh any deterrents and there will be no negative impact on the neighborhood or zone plan.

Mr. Orlando noted that the applicant will comply with the engineer's comments as listed in the engineer's report.

Doug Rohmeyer reviewed the engineers report.

Members of the Public:

Christina Ernst from 424-428 E Poplar Ave. was not in favor of the application.

Charles Eyster from 402 E Poplar Ave. spoke in favor of the application.

William Ernst from 424-428 E Poplar Ave was concerned about the foot traffic and not in favor of the application.

Eileen Patterson from 416 E Poplar Ave was concerned about the glare of the solar panels but was overall in favor of the application.

Jason Hesley made a motion to move forward with the vote. Phil Swetsky 2nd the motion.

The application was approved with 7 Yes votes.

Memorializing Resolutions:

The resolution for James & Victoria Kelly 14-21P was approved with 5 Yes votes. Rich Gilson and Todd Kieninger abstained from the vote.

The resolution for Gary DeMarzo 17-21Z was approved with 4 Yes votes. Phil Swetsky, Rich Gilson & Todd Kieninger abstained from the vote.

The resolution for the Pacific Ave Redevelopment Plan was approved with 8 Yes votes.

Approval of Minutes: The minutes from the August 2, 2021 meeting were approved with 5 Yes votes.

MEETING ADJOURNED AT 9:01PM

The preceding minutes are a summary of events that occurred during this meeting on the above mentioned date in compliance with New Jersey State Statute 40:55D, 2-7-6. These minutes are not nor are they intended or represented to be a verbatim transcription taken.