

# Planning/Zoning Board of Adjustment Meeting

January 4, 2021

4400 New Jersey Avenue

Wildwood, NJ 08260

The meeting of the Wildwood Planning/Zoning Board of Adjustment was called to order on January 4, 2021 by Chairman Kieninger at 6:00 PM at Wildwood City Hall, 4400 New Jersey Avenue, Wildwood, NJ.

Chairman Kieninger led the Pledge of Allegiance.

Chairman Kieninger read the Open Public Meetings Act.

## **Roll Call:**

**Present:** Jason Hesley, Scott Schmidt, Joseph Spuhler, John Bruno, George Clark, Krista Fitzsimons, Todd Kieninger, Steve Mikulski, Phil Swetsky, Nick Fluharty

**Absent:** Brian Evan, Pasquale Arcuri

**Also present:** Mrs. Kate Dunn (board secretary), Mr. Robert Belasco of Stefankiewicz & Belasco, LLC and Mr. John Hess of CME Associates.

---

## **New Business:**

### **Organizational Meeting of the Planning/Zoning Board:**

Scott Schmidt made the motion to appoint Todd Kieninger as Chairman of the Board. Jason Hesley 2<sup>nd</sup> the motion and the appointment was approved with 9 Yes votes. Todd Kieninger abstained from the vote.

Jason Hesley made the motion to appoint Scott Schmidt as Vice Chairman of the Board. Joseph Spuhler 2<sup>nd</sup> the motion. The appointment was approved with 9 Yes Votes. Scott Schmidt abstained from the vote.

Todd Keininger made the motion to appoint John Hess of CME Associates as the board engineer. Scott Schmidt 2<sup>nd</sup> the motion and the appointment was approved with 10 Yes votes.

Scott Schmidt made the motion to appoint Robert Belasco of Stefankiewicz & Belasco, LLC as the Board Attorney. Jason Hesley 2<sup>nd</sup> the motion and the appointment was approved with 10 Yes votes.

Todd Kieninger made the motion to appoint Kate Dunn as board secretary. Jason Hesley 2<sup>nd</sup> that motion and the appointment was approved with 7 Yes votes.

Timothy Blute made the motion to approve the 2018 meeting dates. Joseph Spuhler 2<sup>nd</sup> the motion and the dates were approved 10 Yes votes.

Scott Schmidt made a motion to approve the Press of Atlantic City as the Official Newspaper for the board with the Cape May County Herald as the back up newspaper. Jason Hesley 2<sup>nd</sup> the motion and it was approved with 10 Yes votes.

Scott Schmidt made the motion to approve the meeting dates, time & place of the meeting. Jason Hesley 2<sup>nd</sup> the motion and it was approved with 10 Yes votes.

---

**Applicant: Sciarra Properties, LLC 20-20Z**

**Attorney: David DeWeese, Esq**

**Engineer: Vincent Orlando, EDA**

---

The applicant is represented by David DeWeese, Esq. The property is located at 127 W Rio Grand Ave. & 118 W Taylor Ave., Block 49, Lots 9, 12, 14.02, 16, 22 & 25.02 in the GC, General Commercial and R-2, Moderate Density Residential Zoning Districts.

The applicant is seeking a Use variance and Preliminary and Final Major Site Plan Approval to permit a 710 sf second floor storage addition on the northerly side of the building, to construct a 1162 sf brewery addition on the west side of the building, to modify the existing parking lot on the west side of the building to accommodate the brewery expansion and to remove an existing parking area on the east side of the building and construct it with a paver patio for outside dining and bar area.

Mr. DeWeese stated the property is known as the Mudhen which fronts on Rio Grande Ave and Taylor Ave. He stated the property is located in the GC & R-2 Zones.

Mr. DeWeese stated that the applicant is looking for a use variance to add a 2<sup>nd</sup> floor 710 sf storage addition in the rear of the property toward Taylor Ave. He noted that the applicant has already been approved for the 1<sup>st</sup> floor storage addition in January of 2019. The applicant is also seeking to modify the parking lot on the west side of the building so that he can add a canning line addition to the brewery portion of the building and also remove the parking on the east side of the building and replace it with a paver patio for outside dining and an outside bar area.

Brendan Sciarra, owner of the property, was sworn in. In regards to the addition in the rear of the property, he stated he plans to use the 1<sup>st</sup> floor for kitchen prep work and the 2<sup>nd</sup> floor for storage.

Mr. Sciarra stated that the canning addition on the west side of the property is needed and will be able to keep the large machinery set up all the time.

Mr. Sciarra stated that on the east side of the building, he has constructed the paver patio for an outside seating and bar area. He stated that due to the pandemic, people like to sit outside more and that this area has helped him keep people employed through the pandemic. He stated that there is a steel canopy that will keep the shade in the summertime. There will also be a bar area in the back with 12 seats. He plans to add an outdoor restroom as well. He stated that there are trees all around the area that serve as a buffer to Rio Grande Ave and the neighboring properties.

Brian Newswanger, Architect on the project was sworn in. He referred to Exhibit A-1 which are replications of the plans and the scope of the project including the 2<sup>nd</sup> floor storage addition, brewery addition, relocation of 7 parking spots, and the outdoor seating area. He stated that the outdoor restrooms will help keep the outdoor and indoor operations separate. He stated that the patio has a steel canopy with seating under it and there will be a few bocce courts. He feels this encourages people to be outdoors. The steel canopy has 8 columns and a flat roof and, in his opinion, was constructed to code.

Mr. Newswanger stated the current building is 2 stories and that a 630-sf storage area was already approved in January of 2019. He believes this is needed to grow and serve the outdoor dining spaces. He stated that they are now seeking approval for a 2<sup>nd</sup> floor on that storage addition to accommodate storage and staff locker rooms. They are seeking to increase the square footage of the 1<sup>st</sup> floor to 710-sf where as 630-sf was previously approved.

Mr. Newswanger stated that the brewery addition for the canning line will allow the canning line to be operational. It will be a 2-story open space for the equipment in the canning line. He doesn't see any deterrents to the Zoning Ordinance or Public good. He believes it helps keep the business viable and that it is an enhancement to the neighborhood.

Vincent Orlando from EDA was sworn in. He talked about the parking and that they are approved for 75 total spaces. With the new proposals, they will lose 1 spot making it a total of 74 parking spaces. That meets the parking requirements.

Mr. Orlando stated that the removal of the parking area on the east side and replacing it with the outdoor dining area has been an attribute.

Mr. Orlando believes that the application will advance some purposes of Zoning such as providing an aesthetic enhancement. He doesn't believe there will be any substantial deterrent to the zone plan or zoning ordinance.

John Hess reviewed the Engineers report and confirmed that 55 parking spaces are required where as 74 are being provided.

No members of the public spoke on the application.

Robert Belasco did a recap of the application.

Jason Hesley made a motion to move forward with the vote. Joseph Spuhler 2<sup>nd</sup> the motion. The application was approved with 7 Yes votes.

---

**Applicant: Midtown Properties, LLC 21-20Z**

**Attorney: Ron Gelzunas, Esq**

**Engineer: Vince Orlando, EDA**

---

Ron Gelzunas represents the applicant Midtown Properties, LLC. The property is located at 3601 Atlantic Ave., Block 174, Lots 1, 7 & 13.02 in the T/E, Tourist Entertainment Zoning District.

Mr. Gelzunas stated that the property is currently occupied by the Jersey Girl Restaurant and Blue Palms & Boardwalk Bungalow Motels. The Blue Palms currently has 52 units and the Boardwalk Bungalow has 20 units. He stated that the parking is currently across the street from the property. He stated that the owners bought the property in the late 1990's and early 2000's.

Mr. Gelzunas stated that the applicant is looking to combined the properties so that it is a true resort facility.

Vince Orlando from EDA was sworn in.

Will Morey, principle of the property was also sworn in.

Mr. Orlando stated that this is going to be a phased project. Phase 1 will include the removal of 4 parking spaces along Atlantic Ave in front of the Jersey Girl Restaurant and construct a concrete patio for expanded outdoor seating. They will construct a concrete entry area along Atlantic Ave. to provide access to the Jersey Girl outdoor seating area and the Blue Palms motel. They will construct an umbrella over the existing patio and construct a wide raised planter along Atlantic Ave to provide separation between outdoor seating and the pedestrian traffic. There will be no changes to the building in Phase 1.

Phase 2 will include a concrete pad to connect the Jersey Girl building to the Blue Palms and provide a 3 season use. They will construct a 3-season lounge over the concrete patio constructed in phase 1. They will also construct a one-way drop off area in front of the Blue Palms on Atlantic Ave. They also propose to remove & replace the pool area and also make improvements to the parking lot on the south side of the Blue Palms.

Phase 3 will include a fourth-floor addition to the Blue Palms with an additional 15 rooms and the construction of an exterior elevator tower on the south of the Blue Palms.

Mr. Orlando stated that in 2009 the applicant got approval for a 24 seat outside dining area. They plan to add 31 additional seats outside. He stated that a Deed of Consolidation will be done to combine the properties.

Mr. Orlando doesn't believe there will be any negative impact on the zone plan or zoning ordinance or to the public good. He believes this will be a better alternative than what currently exists. He stated it will eliminate back out parking Atlantic Ave. and it promotes the health, safety & general welfare.

Mr. Orlando stated that the property is located in the T/E Zone and believes that the egress is going to be safer than what is there. It also provides a better visual and makes the land more efficient. He also stated that the project increases the amenities for guests.

He stated that the applicant will require a use variance, C-variances for front yard setback, maximum lot coverage, setback from an accessory structure, the permit outdoor seating to be 34% of the total seating for the establishment and to allow the patio to extend across 100% of the frontage of the building along with preliminary and final major site plan approval.

Mr. Orlando stated that the applicant plans to do phase 1 now, phase 2 in a year or 2 and phase a year or 2 after that.

John Hess reviewed the Engineers report.

Members of the Public:

Nadal Elfar from 231 E Lincoln Ave was concerned about the parking situation and concerned with any on street parking being eliminated.

Jack Morey, principle of the property stated that they purchased the property years ago and are looking to modernize it and hopes that other properties will follow as well.

Public comment is closed.

Robert Belasco did a recap of the application

Scott Schmidt made a motion to move forward with the vote. Jason Hesley 2<sup>nd</sup> the motion.

The application was approved with 7 Yes votes.

---

### **Memorializing Resolutions:**

The resolution for Beth & Mariano Musumeci 17-20Z was approved with 7 Yes votes.

The resolution for Nilesh & Amisha Patel 18-20Z was approved with 7 Yes votes.

---

**Approval of Minutes:** The minutes from the December 7, 2020 meeting were approved. All were in favor.

---

**MEETING ADJOURNED AT 8:12PM**

---

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.