

Planning/Zoning Board of Adjustment Meeting

January 7, 2019

4400 New Jersey Avenue

Wildwood, NJ 08260

The meeting of the Wildwood Planning/Zoning Board of Adjustment was called to order on January 7, 2019 by Chairman Porch at 6:00 PM at Wildwood City Hall, 4400 New Jersey Avenue, Wildwood, NJ.

Chairman Porch led the Pledge of Allegiance.

Chairman Porch read the Open Public Meetings Act.

Roll Call:

Present: Timothy Blute, Jason Hesley, Anthony Leonetti, Michael Porch, Scott Schmidt, Joseph Spuhler, Carol Bannon

Absent: Denise Magilton, Daniel Dunn, Todd Kieninger

Also present: Mrs. Kate Dunn (board secretary), Mr. Robert Belasco of Stefankiewicz & Belasco, LLC and Mr. Raymond Roberts of Remington and Vernick.

New Business:

Organizational Meeting of the Planning/Zoning Board:

Anthony Leonetti made the motion to appoint Michael Porch as Chairman of the Board.

Timothy Blute 2nd the motion and the appointment was approved with 7 Yes votes.

Michael Porch made the motion to appoint Todd Kieninger as Vice Chairman of the Board.

Anthony Leonetti 2nd that motion. The appointment was approved with 7 Yes Votes.

Michael Porch made the motion to appoint Remington & Vernick as the board engineer.

Timothy Blute 2nd that motion and the appointment was approved with 7 Yes votes.

Michael Porch made the motion to appoint Robert Belasco of Stefankiewicz & Belasco, LLC as the Board Attorney. Anthony Leonetti 2nd that motion and the appointment was approved with 7 Yes votes.

Michael Porch made the motion to appoint Kate Dunn as board secretary. Jason Hesley 2nd that motion and the appointment was approved with 7 Yes votes.

Timothy Blute made the motion to approve the 2018 meeting dates. Joseph Spuhler 2nd the motion and the dates were approved 7 Yes votes.

Todd Kieninger made a motion to move forward with the vote. Timothy Blute 2nd the motion. The application was approved with 5 Yes votes.

Applicant: Charles Starr 07-18Z

Attorney: Jeffrey Barnes, Esq.

Engineer: Dante Guzzi, Engineer

The applicant is represented by Jeffrey Barnes, Esq. The property is located at 501 W Maple Ave., Block 212, Lot 1. The property is located in the W/R, Waterfront-Residential Zoning District.

The present use of the property is a vacant parcel with a shed on the property. The applicant is seeking to leave the shed on the premises for now and to build a single-family home on the subject property within 2 years.

The applicant will need site plan approval along several C variances including lot width, lot frontage, front yard setback and maximum density. The applicant will also need a D variance for the existing shed to remain.

Mr. Barnes stated that his property is tied into the property located at 505 W Maple Ave. which is currently occupied with a single-family home. He stated that in 2004 the previous owner went before the Zoning Board and got approval for the subject lot to demo the existing structure and build a new one. The previous owner did the demo but never built the new home. Mr. Barnes explained that variance has since expired.

Mr. Barnes stated that the applicant purchased the property in July of 2017. Since he purchased the property, he had made various modifications/improvements to the property. He stated that the applicant constructed a concrete slab and placed a shed on the concrete to use for storage. Shortly after the shed was constructed, the applicant revised a notice of violation from the Zoning Officer stating that the construction of an accessory use with no primary use existing on site is not allowed and he would need to get a variance for the shed to remain.

Mr. Barnes noted that the applicant wishes to keep the shed on the property for the time being until he is ready to construct a single-family home. Mr. Barnes referred to exhibit A-1 which is a packet of photos. Mr. Barnes stated that this application is to keep what exists.

Mr. Starr was sworn in and described what is presently there. He stated he purchased the property in August of 2017. He stated he intends to keep the current single-family home for his wife and him and build the other single-family home for his kids. He stated that since he bought the property, he has cleaned it up and replaced concrete etc.

Dante Guzzi of Guzzi Engineering was sworn in. He stated he was hired to survey the property and prepare the plan. He also stated that on 501 W Maple Ave there is a shed and 505 W Maple Ave. is where the single-family home is located. He stated that the applicant would like to continue to use the shed for 2 years until he is ready to build another single-family home. Mr. Guzzi said it is a 30 x 80 ft. lot. He refers to Exhibit A-2 which is an aerial photo of the subject property and surrounding neighborhood. He noted that almost every lot on the block is a 30ft. lot. He stated that the new single-family home to be built within 2 years, would be an elevated structure with 2 parking spots underneath the house. He noted that a 20ft. easement would be created to allow 505 W Maple Ave. pedestrian access.

Mr. Guzzi stated that he believes the benefits of this project outweigh any deterrents with some benefits being aesthetically pleasing and it promotes light, air & open space.

Raymond Roberts reviewed the engineers report including plans to relocate to a conforming location or it will be eliminated.

Members of the Public:

Gregory Bostard from 3009 Lake Ave. is opposed to the new single-family home being built. He stated that the vacant lot has always been a garage and it was never a single-family home to be built with. He stated it will take away his entire view and it will not fit in with the neighborhood. Mr. Bostard distributed a photo of the current conditions of the lot which was

referred to exhibit W-1.

Robert Belasco did a recap of the application

Timothy Blute made a motion to move forward with the vote. Carol Bannon 2nd the motion. The application was approved with 6 Yes votes.

Applicant: RAC Holding LLC 15-18P

Attorney: Jeffrey Barnes, Esq.

Engineer: Dante Guzzi

The applicant is represented by Jeffrey Barnes, Esq. The property is located at 221 W Magnolia Ave., Block 233, Lot 25 in the R-1, Low Density Residential Zoning District.

The property is currently occupied by two single family homes. The applicant proposes to convert a 1 ½ story dwelling to a three-story dwelling with a first-floor garage and the second & third stories making up the single-family dwelling unit.

The applicant is requesting a D-1 use variance to have 2 separate single family detached dwelling units on the same lot along with several C variances for minimum front, side & rear yard setbacks, maximum lot coverage, maximum building height, minimum distance to other buildings and maximum total footprint of all accessory used.

Jeffrey Barnes states that the property is located at 221 W Magnolia Ave in the R-1 Zone. He noted that this is property also had a violation from the zoning officer. The applicant is looking to raise the main structure to allow for parking underneath. Mr. Barnes stated that the reason the applicant received a violation is because he installed an above ground pool without any permits or approval and the pool is encroaching in the setback areas. He also put a shed/storage area & firepit. Mr. Barnes stated that he is before the board so that the improvements that he has made can remain.

Robert Convery was sworn in and is the current owner of the property. He stated he acquired the property in February of 2017. Since then he has made many improvements including the pool, fire pit & storage shed. He stated that he plans to raise the front building. Mr. Convery stated that he does not rent the property. He noted that along with the pool he installed, he also stores a boat on the property that he would like to make into a bar. He also installed an outside shower and a fire pit seating area.

Dante Guzzi from Guzzi Engineering prepared the plan for the applicant. He stated that the home will still be maintained as a 4-bedroom home. He stated that 1 street parking spot will be eliminated.

Mr. Barnes distributed a photo of the pool which was referred to as exhibit A-1. Mr. Convery stated that the pool will be moved over about 15 inches so that the setback requirements are met. Mr. Convery stated that the boat installed on site is not in its fixed location. He confirmed that the boat conforms to all setbacks.

Mr. Guzzi stated that he believes that the benefits of the project outweigh any deterrents and believes that there is no harm to the public good or zoning ordinance by granting the needed variances.

Raymond Roberts reviewed the engineers report including that there will be no height variance needed as the building will be below 35ft. The also needed a waiver for the width of a parking stall.

No member of the public spoke on the application.

Robert Belasco did a recap of the application.

Timothy Blute made a motion to move forward with the vote. Carol Bannon 2nd the motion. The application was approved with 6 Yes votes.

Applicant: Jason & Kristine Bilderback

The applicant Jason Bilderback is Pro Se and sworn in. The property is located at 629 W. Montgomery Ave., Block 100, Lot 1.02 in the R-2, Moderate Density Residential Zoning District.

The present use is a one-story single-family home.

The applicant is requesting a C variance for lot coverage.

Mr. Bilderback stated that he bought the property a year ago with intentions of eventually becoming a full-time resident. He explained that concrete was installed prior to him purchasing the property. He noted that the concrete was pitched down toward the home causing water to run under the house and puddle in the crawlspace. Mr. Bilderback stated in order to rectify the problem, he poured more concrete to level out the concrete so the water would not run under the house. He noted in doing so, his lot coverage is now 79% where as the maximum lot coverage is 70%. He received a violation from the Zoning Officer in regards to this stating that he would need to get a variance from the Planning/Zoning Board in order to keep the concrete. Mr. Bilderback distributed 2 photos of the property referred to as Exhibit A-1 & A-2.

Timothy Blute asked where the water drained now? Mr. Bilderback stated that the water drains to the street.

Raymond Roberts reviewed the engineers report and stated h needs a variance for lot coverage.

No members of the public spoke on the application.

Robert Belasco did a recap of the application.

Carol Bannon made a motion to move forward with the vote. Jason Hesley 2nd the motion. The application was approved with 6 Yes votes.

Applicant: Land & Building Investments, LLC 21-18Z

Attorney: Louis DeLollis, Esquire

Engineer: Vincent Orlando, Engineering Design Associates

The applicant is represented by Louis DeLollis. The property is located at 133, 135 & 137 W Taylor Ave., Block 60, Lots 8, 9, & 10.01. The property is located in the R-2, Moderate Density Residential Zoning District.

Lots 8 & 9 are currently occupied by residential dwellings. Lot 101.01 is currently a vacant lot. The applicant proposes to demolish the residential dwellings and a shed to construct a twenty-eight-space paved parking lot.

The applicant is seeking a D-1 use variance as stand-alone parking lots are not permitted in the zone. He is also seeking a C variance for Maximum lot coverage and for hardship & substantial benefit.

Brendan Sciarra is the owner of the property and is sworn in. Mr. DeLollis stated that Mr. Sciarra is trying to be a good neighbor and create more parking for his neighboring restaurants including the Mud Hen located across the street. He stated that the parking lot will be for Mud Hen's employees and customers but can also accommodate overflow from the DogTooth & Poppi's Restaurants.

Mr. DeLollis stated that there will be a parking attendant everyday during the season and on weekends during the off season.

He stated that the lots will deed restricted to commercial parking.

Mr. Sciarra gave a general overview of the project. He stated that in the summer parking is very busy and the parking lot is always full and he is trying to eliminate customers crossing Rio Grande Ave. which is the main thoroughfare to the Wildwoods. He also noted that landscaping buffers will be installed to the adjacent properties to reduce any impacts on the neighboring

properties.

Mr. DeLollis referred to exhibit A-1 which was a packet of photos of the current parking. He stated that there will be no other uses for the lot other than parking.

Vincent Orlando from Engineer Design Associates was sworn in.

He stated that the applicant is proposing to construct a 28-space parking lot. In the center of the parking lot, there will be a pedestrian walk way. Mr. Orlando stated that the lighting for the parking lot will go along with the lighting from the Mud Hen across the street. He stated that there will be no lighting glare to the neighboring properties. There will be a landscaping fence around the 3 sides of the parking lot. There will also be a 5ft. fence around the entire perimeter. The landscaping will consist of shrubs, evergreens & grasses.

Mr. Orlando stated that there will be no impact on the adjacent properties as far as drainage.

There is no signage proposed only directional signs. Mr. Orlando reiterated that there will be a parking lot attendant everyday during the summer and on weekends during the off season. He stated employees will use this lot free to up space in the current parking lot.

Mr. Orlando believes this will be a benefit to the entire neighborhood. He believes that it advances some purposes of the zoning including A, G & N. He also believes there will be no substantial detriment to the public good or zoning ordinance.

Raymond Roberts reviewed the engineers report. He stated he didn't have any problem with the lighting.

Member of the Public:

Todd Stevens from 102 W Andrews Ave. He stated he is a year-round resident & that believes the parking lot will devalue the properties in the neighborhood. He is opposed to the application.

Lucy Ann Roberts from 127 W Andrews Ave. believes this will affect her area in a negative way. She believes there is a safety issue and should not be allowed in a residential area. She is also opposed to the application.

Dennis Attern from 143 W Taylor Ave is also opposed to the application. He stated that Taylor Ave. is a very busy street and that safety will be an issue. He also noted that it is a residential area.

Nancy Cunninghamstead from 144 W Andrews Ave. is also opposed to the application. She believes it is a residential area and there is a safety issue.

Robert Tisone from 142 W Andrews Ave., stated he purchased the property about 4 months ago and is building a new home. He believes that a parking lot will destroy the value of the neighboring homes. He is also opposed to the application.

Joseph Camp from 127 W Taylor Ave., will be right next door to the parking lot. He is also opposed to the project and believes that it won't alleviate any problems. He stated that a lot of trash will be thrown into his yard.

Collen Weber from 145 W Andrews Ave. Unit 100 stated she purchased the property in May of 2017. She is also opposed to the application and believes that a parking lot is an issue.

Brian Stead from 144 W Andrews Ave., is opposed to the application. He is concerned with traffic & distributed pictures to show the current traffic flow. The pictures were referred to as exhibit W-1.

Jim McBride from 130 W Andrews Ave. will be directly behind the proposed parking lot. He stated he won't be able to open the windows due to noise. He is also opposed to the application.

Laurie Melillo from 126 W Andrews Ave. is to the side of the proposed project. She believes that there is also a safety issue and is also opposed to the project.

Catherine Sabard from 135 W Andrews Ave., stated she has owned her property for 37 years and is worried about the value of her property going down. She is also opposed to the property.

Robin Sciarra who is the owner's wife stated she did some research and a parking lot was not listed as something that would devalue property. She spoke in favor of the project.

Public portion of the meeting was closed.

Vincent Orlando responded to the issues raised by the residents. The applicant is willing to raise the height of the fence and eliminate 2 spots to provide for more of a buffer.

Robert Belasco did a recap of the application.

Carol Bannon made a motion to move forward with the vote. Jason Hesley 2nd the motion. The application was approved with 6 Yes votes.

Applicant: Land & Building Investments, LLC 22-18Z

Attorney: Louis DeLollis

Engineer: Vincent Orlando, EDA

The applicant is represented by Louis DeLollis. The property is located 118 W. Taylor Ave., Block 49, Lot 25.02 in the R-2, Moderate Density Residential Zoning District.

The applicant proposes to demolish 2 story residential structures and a shed and construct a 7-space paved parking lot for use by the Mud Hen Restaurant. He also proposed to construct a 630 sq ft. addition to the restaurant for storage and food preparation. The existing freezer will be relocated to the southwest corner of the lot to accommodate the proposed restaurant preparation. The applicant is seeking a D-1 use variance for a stand-alone parking lot and 3 C variances.

Mr. DeLollis stated that the applicant went over the proposal including the demolition of a shed, a small addition to the restaurant for storage & food prep and 7 additional parking spaces. He stated that they would need a D-1 use variance for the standalone parking lot. He noted that currently a multi-family house is located on the lot. He made reference to exhibit A-1 which are photos of what exists. He noted that the applicant plans to tear the house down and use the extra parking for employees & customers.

Mr. DeLollis noted that the egress will be off of Taylor Ave.

Vincent Orlando is the Engineer on the project and gave a brief summary of the application. He stated that he believes it advances the same purposes as the prior application being letters A, G, & N. He also believes there is no substantial detriment to the public good or zoning ordinance. Mr. Orlando noted that lots will be deed consolidated. He also noted that there is an existing fence between lot 25.02 & lot 28 that there is a fence between. That fence will be replaced with a 6ft. fence.

Raymond Roberts reviewed the engineers report including the height of the fence which is 15ft., lighting & screening.

Members of the Public:

Wendy Atlend from 126 W Taylor Ave was concerned about the freezer being relocated and the fence.

The public portion of the meeting was closed.

Robert Belasco did a recap of the application.

Timothy Blute made a motion to move forward with the vote. Carol Bannon 2nd the motion. The application as approved with 6 Yes votes.

Memorializing Resolutions:

The resolution for City Ordinance 11-28 was approved with 6 Yes votes.

Approval of Minutes: The minutes from the November 05, 2018 meeting were approved. All were in favor.

MEETING ADJOURNED AT 9:10PM

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.