

WILDWOOD CREST LAND USE BOARD MEETING
ZONING BOARD OF ADJUSTMENT
Meeting Minutes – 19 June 2018
Borough Hall, 6101 Pacific Avenue

draft

Chairman Alan Seijas called the meeting to order at 5:00 pm, read the Open Public Meetings Act and announced emergency exits. The Chairman led the Pledge of Allegiance

Secretary Rogers took roll call: Bumbernick, absent; Levy, present; Seijas, present; Stuart, present; Mettler, absent; Tenaglia, present; Rosenfeld, absent; Franco, present; Vogdes, present; Solicitor Robert T. Belasco, Esq., present; Zoning Officer Malia, absent; Secretary Rogers, present. A quorum was declared.

Minutes from the meeting of 15 May were distributed for review and approval or correction. Mr. Mettler moved to approve the minutes as distributed; Mr. Rosenfeld seconded. Roll call: Mettler, yes; Rosenfeld, yes; Stuart, abstain; Tenaglia, yes; Franco, yes; Vogdes, yes; Seijas, yes. Minutes approved as distributed.

There was one application to come before the Board:

ZB-18-06-01: Matthew Shook, owner of the property located at 129 E. Palm Rd; a/k/a blk 57, lots 7.02&8; seeking variance relief for lot size, front yard setbacks, side yard setbacks, building coverage, wall “jog”, lot frontage, lot width and lot coverage; applicant represented by Andrew D. Catanese, Esq. Mr. Catanese introduced himself to the Board and outlined the variance relief sought.

Matthew Ronald Shook, owner of the property, was sworn in. He said the next-door property, 131 E Palm Rd, has been owned by his wife’s family since 1964, and they purchased the subject property in a private sale. He said they wish to expand and upgrade the existing house in order to better accommodate their family. He described the shared driveway and garage, saying this has never been a problem.

Matt Sprague, Registered Architect, was sworn in. Mr. Sprague has previously appeared before the Board and been qualified as an expert. Mr. Sprague said the house is currently a duplex with a second-floor unit, but will be remodeled into a single-family dwelling. He described the scope of the intended project saying the roof will be torn off, and a new second floor constructed; the front porch will be remodeled into an open porch; the existing chimney (which encroaches 2.3’ into the sideyard setback) on the west side will be removed; the rear stair will be removed; the condenser will be relocated. He said the proposed entry stair will be in the same location as the current entry stair, not exacerbating the nonconformity. Mr. Sprague added they propose an addition to the building of approximately 50 sq. ft. to provide room for utilities and laundry. He described the proposed floor plan as an upside-down house with a new entryway; the second floor will meet the required sideyard setback. He said the westerly wall of the structure will be fire-rated due to the proximity to the house on the west. The condensers will be mounted above the shower enclosure and buffered by lattice screening. Mr. Sprague opined that a single-family dwelling is more compliant than a duplex on a 3250 sq. ft. lot adding the parking requirement will be reduced from four spaces to two. He said creating an open front porch will lessen the impact on the neighborhood.

Mr. Catanese noted the lots on either side are fully developed, the front yard setback will not be increased, and the variances sought are all under the “c” criteria.

In dialog with Mr. Catanese, Mr. Sprague said the lot size and location of structure constitute hardship; and purposes of zoning c (light air and open space), a (promotes appropriate development and the general welfare), l (promotes a desirable visual environment), and h (the reduced parking requirement promotes better traffic flow). Mr. Sprague said he sees no negative impact or detriment inherent in the granting of this relief. Describing the footprint of the structure, Mr. Sprague said a small addition is proposed on the east side rear, however, this will occupy less space than the existing staircase which will be removed. He concluded his presentation saying the height to the highest roof ridge peak is proposed at 28.6’.

Answering questions from the Board, Mr. Sprague said there will be as much landscaping as possible on the lot. Mr. Shook said he intends to keep the grass, and said approximately one-half of the existing storage shed (attached to the garage) will be removed, noting this will increase the distance (which was of concern to the Board) between the house and garage. Mr. Sprague said the entire roof will not be at 28.6'; most of the roof height will be 25', adding the higher portion in the front of the structure is for architectural interest and esthetics. Mr. Shook explained the parking arrangements and shared driveway on the premises. Mr. Sprague reiterated the existing chimney will be removed increasing the setback. He said crawlspace was previously back-filled, increasing the elevation which is at 10'.

Mr. Catanese reminded the Board this is an undersized lot with an existing structure, not all issues can be resolved.

The plans as distributed were marked as Exhibit A-1; the photos as provided by the Zoning Official were marked as Exhibits A-2 and A-3.

In the absence of Zoning Official Patrick Malia (attached hereto and made part hereof), Secretary Rogers spoke to his report as distributed to the Board and applicant, noting that most of his concerns had been addressed.

Mr. Catanese reiterated the variance relief sought as pre-existing conditions for lot area, lot width, front yard setback, side yard and combined sideyard setbacks, wall "jog", building coverage, lot coverage and parking. Addressing concerns from the Board, the applicant agreed to install a fire-resistant siding material to the west side of the structure as a condition of approval.

Chairman Seijas said he would be willing to poll the Board regarding the proposed height increase. Responding, Mr. Catanese noted no height variance is required. Secretary Rogers spoke in the absence of Planning Board liaison Fred Mettler, telling the Board the Planning has recommended to the Board of Commissioners by resolution an overall height increase of 2' in residential zones, and the Board of Commissioners is acting favorably on this change to the ordinance.

In the public portion, Diane McDermond of 6710 Pacific Ave was sworn in. She spoke in favor of the application, saying the applicant has "pride in ownership" of the property, and the neighborhood would be improved if the relief is granted.

Frank DiSalvatore of 126 E Palm Rd was sworn in. He complimented the community overall. He spoke in favor of the application saying existed house is "front-loaded" and the open porch would be an improvement, the height of the structure poses no detriment, the parking requirement reduction is a plus, and this should increase property values.

Georgeanna Boccelli of 130 E Palm Rd was sworn in. She reiterated Mr. DiSalvatore's comments adding there are a number of "humungous" houses in the neighborhood.

In deliberation, Board member Stuart expressed a dislike for "skinny houses on skinny lots" also saying his fire concerns had been adequately addressed, and he believes the benefits of granting relief outweigh the detriments. Mr. Vogdes said this project would beautify the neighborhood. Mr. Franco noted the positive comments of the neighbors. Ms. Levy said there are many pre-existing conditions which the applicant has worked around. Mr. Tenaglia agreed saying the lot size makes improvement difficult. Mr. Seijas said he felt the "c"1 and "c"2 criteria had been addressed and spoke to the upgrades, safety issues and public testimony on favor of the variances.

Mr. Catanese offered a brief summary of the variances sought and the conditions as agreed.

Solicitor Belasco read the findings of fact into the record.

Ms. Levy moved to accept the findings, Mr. Tenaglia provided the second. Roll call: Levy, yes; Stuart, yes; Tenaglia, yes; Franco, yes; Vogdes, yes; Seijas, yes. Findings accepted.

Mr. Tenaglia moved to approve the application and all variance relief sought with the condition that the west wall of the structure will be fire-rated and sided with a fire-resistant material. Mr. Stuart provided the second. Roll call: Levy, yes; Stuart, yes; Tenaglia, yes; Franco, yes; Vogdes, yes; Seijas, yes. Application approved with conditions.

There were no resolutions memorializing Board action.

There were no administrative resolutions.

There was no old business.

Under new business the Board affirmed its previously-adopted policy that the presentation of any application cannot commence after 8 p.m.

No members of the public spoke.

The Board will meet on 17 July; there are three applications to come before the Board on that date.

On motion of Mr. Tenaglia, second by Ms. Levy, the Chairman adjourned the meeting by affirmative voice vote at 6:35 p.m.

_____ Secretary