

BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 2 July 2025 5 p.m.

The following are the minutes of the Wildwood Crest Planning Board as held on Wednesday July 2, 2025, at Borough Hall. The proceedings of the meeting are recorded and available for public inspection.

CALL TO ORDER:

Chairman Mr. Davenport called the meeting to order at 5:00 p.m., lead the Pledge of Allegiance and read the statement of compliance with the open Public Meetings Act.

ROLL CALL:

Patrick Davenport: present	Barbara Hunt: present	Brian Melchiorre: present
Don Cabrera: absent	Joe Franco: absent	Angela Daniels: present
Fred Mettler: present	Brian Stuart: present	Vince Tenaglia: present
Bradley Vogdes: present	Jane Reynolds: present	Alexa Alverado: present
Joe Viscomi: present		
Board Secretary Pamela Riper: present		
Rob Belasco: present		
Jacob Wright: present		

MINUTES:

Ms. Daniels moved to dispense with the public reading of the executive session minutes of the meeting of 7 May 2025 and approve as distributed, Mr. Tenaglia second, minutes approved as distributed.

Patrick Davenport: yes	Barbara Hunt: abstain	Brian Melchiorre: yes
Angela Daniels: yes	Fred Mettler: yes	Brian Stuart: abstain
Vince Tenaglia: yes	Bradley Vogdes: abstain	Jane Reynolds: yes
Alexa Alverado: yes	Joe Viscomi: yes	

Mr. Mettler moved to dispense with the public reading of the minutes of the meeting of 4 June 2025 and approve as distributed, Mr. Stuart second, minutes approved as distributed.

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Angela Daniels: abstain	Fred Mettler: yes	Brian Stuart: yes
Vince Tenaglia: yes	Bradley Vogdes: yes	Jane Reynolds: yes
Alexa Alverado: abstain	Joe Viscomi: yes	

APPLICATIONS:

Application PB-25-03 for 401 E. Toledo Avenue a/k/a blk 126.02 lot 1, 3, 5, 7 & 9.01 in Zone M-1B owner 401 Toledo Avenue, LLC; seeking Minor Subdivision & "C" Variance. Adjourned. Renotice required.

On Motion of Ms. Hunt and second by Ms. Daniels to approve adjournment:

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Angela Daniels: yes	Fred Mettler: yes	Brian Stuart: yes
Vince Tenaglia: yes	Bradley Vogdes: yes	Jane Reynolds: yes
Alexa Alverado: abstain	Joe Viscomi: abstain	

Ms. Daniels recuses herself from meeting.

Application PB-25-05 for 117B E. Morning Glory Road a/k/a blk 2 lot 10 in Zone R-2 owner Kyle Morey; seeking "D" Variance.

The Applicant, Kyle Morey, was self-represented, and he was placed under oath to testify before the Board.

In connection with this Application the Board received the following plans, which are incorporated herein as fact:

A sales order of the purchased proposed greenhouse prepared by Tony C. Kraemer, with Lapp Structures, consisting of three (3) pages, dated October 22, 2024.

A Variance Plan entitled "Variance Plan, Block 2, Lot 10, Wildwood Crest Township, Cape May County, New Jersey," prepared by Vincent C. Orlando, P.E., P.P., C.M.E., L.L.A. with Engineering Design Associates, P.A., consisting of one (1) sheet, dated March 25, 2025.

Mr. Morey outlined the nature of the application and the relief sought in connection with same.

The Subject Property is at 117B E. Morning Glory Road, a/k/a Block 2, Lot 10, in the Borough's R-2 zoning district.

Mr. Morey advised the Board that he owns and occupies the neighboring property, 117A E. Morning Glory Road, which is developed with a single-family dwelling.

The subject property is currently used as a side yard for the adjacent lot developed with Mr. Morey's single-family dwelling.

The subject property and the neighboring property containing the single-family dwelling are undersized lots which were created in connection with a prior subdivision application approved by the Board.

Mr. Morey indicated that the lots are not in common ownership as the subject property is owned by Mr. Morey and his brother, and the neighboring single-family dwelling is owned by Mr. Morey and his wife.

Mr. Morey testified that he is proposing to construct an 8ft. x 12ft. greenhouse on the subject property.

A D(1) use variance is required in order to permit the construction of an accessory use on a lot that does not contain a principal use.

Vincent Orlando, P.E., P.P., C.M.E., L.L.A. with Engineering Design Associates, P.A., appeared on behalf of the Applicant. Mr. Orlando was accepted by the Board as an expert in the fields of engineering and land planning, and he was placed under oath, and testified from the proposed variance plan.

Mr. Orlando reviewed the existing site conditions for the benefit of the Board.

He indicated that the subject property is one of two existing non-conforming lots that were created by way of a prior subdivision application, and they are therefore not subject to merger under the *Loechner Doctrine*.

Mr. Orlando confirmed the Applicant intends to use the Subject Property for an accessory 8ft. x 12ft. greenhouse.

Mr. Orlando testified that a 'D(1)' use variance relief is required due to the fact that no principal use exists. He reviewed sections of the Borough Code and highlighted inconsistencies within § 85-38(D) and § 85-68(A).

§ 85-38(D) provides that a property owner is permitted to construct an accessory use "on the same lot as a principal dwelling or on a lot contiguous thereto" whereas § 85-68(A) provides that "accessory buildings, structures and uses shall be permitted only on the same lot as the principal building to which they are accessory..."

Mr. Orlando acknowledge that the New Jersey Municipal Land Use Law and general planning principles generally prohibit accessory uses from existing on lots that do not contain a principal use.

Accordingly, the Applicant is requesting the use variance to authorize the proposed development.

In an effort to alleviate concerns raised by the Board in relation to an accessory use existing on a standalone lot, Mr. Orlando testified that the Applicant would record a Deed Restriction associated with 117A and 117B E. Morning Glory prohibiting the Subject Property from being sold independently unless the proposed accessory structure were eliminated. As a condition of approval, the Applicant must record a Deed Restriction requiring the removal of the proposed accessory structure prior to the sale of either 117A or 117B E. Morning Glory Road unless both lots are sold together.

Mr. Orlando opined that several of the purposes of zoning, outlined within N.J.S.A. 40:55D-2, are advanced in connection with this application and support the relief sought by the Applicant as it:

Provides adequate light, air, and open space; and

Provides sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private according to their respective environmental requirements in order to meet the needs of all New Jersey citizens; and

Encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

Mr. Orlando testified that the site is particularly suited for the proposed greenhouse given its size and its location, as it is directly adjacent to the Applicant's primary residence.

Mr. Orlando opined that the Applicant's proposal presents no substantial detriments to the public good nor does it in any way impair the intent or purpose of the Borough's zone plan or zoning ordinance.

He reiterated that the Borough's Ordinance contains language which would authorize this type of development on a lot contiguous to a principal dwelling.

Mr. Orlando testified that the proposed Variance Plan will be revised to ensure that the depicted greenhouse is 8ft. x 12ft. in size, and he indicated that it would be relocated closer to an existing vinyl fence.

In response to a question posed by the Board, Mr. Orlando indicated that the structure will either be attached to the existing fence or it will be located no less than 4ft. from the existing vinyl fence.

Mr. Orlando noted that existing crushed stone adjacent to the public right-of-way will be replaced with living pavement.

He further testified there will be no less than 4ft. between the fence and structure, or the structure will be attached to the existing vinyl fence.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated June 12, 2025, which was received by the Board, and which is incorporated herein as fact.

Jake Wright, P.E. appeared at the meeting and reviewed said Report for the benefit of the Board, and he noted the conditions outlined therein. As a condition of approval, the Applicant will comply with any and all comments/conditions set forth within the Engineer's Report.

Mr. Wright confirmed the variance relief sought in connection with this Application

At the conclusion of the Applicant's presentation, the meeting was opened to the public for comment.

No members of the public addressed the Board in connection with this application. Accordingly, the public portion of this application was closed.

Board Solicitor Robert Belasco, Esquire reviewed the variance relief sought by the Applicant and provided the findings of fact for the record.

Findings of Fact accepted on motion of Mr. Vogdes and second by Mr. Tenaglia:

Patrick Davenport: yes

Barbara Hunt: yes

Brian Melchiorre: yes

Angela Daniels: abstain

Fred Mettler: yes

Brian Stuart: yes

Vince Tenaglia: yes

Bradley Vogdes: yes

Jane Reynolds: abstain

Alexa Alverado: abstain

Joe Viscomi: abstain

The Board accepted the findings of fact and thereafter opened the Application up for deliberation.

During deliberations, the Board took no issue with the proposed greenhouse.

The Board agreed that the Applicant's proposal was consistent with the neighborhood.

The Board found that the benefits associated with the Applicant's proposal outweighed any detriments, and that the Subject Property is particularly suited to accommodate the proposal to construct a standalone accessory use on a lot which does not contain a principal use given its immediate adjacency to the Applicant's residence and its current function as a side yard.

Board Members further found that the Applicant's proposal advances several goals and objectives outlined within the Borough's Master Plan.

The Board found that the purposes of zoning identified by Mr. Orlando would be advanced in connection with this proposal and supports granting the relief requested by the Applicant.

The Board finds that granting the proposed variance relief presents no substantial detriment the public good nor will it impair the intent or purpose of the zone plan and zoning ordinance.

The Board acknowledges the inconsistency within the Borough Code between § 85-38(D) and § 85-68(A), but finds that the Deed Restriction to be recorded will mitigate any concern about the lot being used in isolation or being sold independently.

On Motion of Ms. Hunt and second by Mr. Tenaglia for approval:

Patrick Davenport: yes

Barbara Hunt: yes

Brian Melchiorre: yes

Angela Daniels: abstain

Fred Mettler: yes

Brian Stuart: yes

Vince Tenaglia: yes

Bradley Vogdes: yes

Jane Reynolds: abstain

Alexa Alverado: abstain

Joe Viscomi: abstain

Ms. Daniels returns to meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

Resolution PB-25-11 for Application PB-25-04 for 123 W. Newark Avenue a/k/a blk 175 lot 15 in Zone R-1A owner Raymond & Lauren Cross; appealing decision of an Administrative Officer.

Mr. Vogdes moved to approve, second by Mr. Tenaglia:

Patrick Davenport: yes

Barbara Hunt: yes

Brian Melchiorre: yes

Angela Daniels: abstain

Fred Mettler: yes

Brian Stuart: yes

Vince Tenaglia: yes
Alexa Alverado: abstain

Bradley Vogdes: yes
Joe Viscomi: yes

Jane Reynolds: yes

Resolution PB-25-12 for Application PB-25-06 for 8501 Bayview Drive, a/k/a blk 140 lot 16 in Zone R-2 owner David DiStefano; consideration of a formal settlement agreement to resolve pending litigation.

Mr. Tenaglia moved to approve, second by Ms. Reynolds:

Patrick Davenport: yes
Angela Daniels: abstain
Vince Tenaglia: yes
Alexa Alverado: abstain

Barbara Hunt: abstain
Fred Mettler: yes
Bradley Vogdes: abstain
Joe Viscomi: yes

Brian Melchiorre: yes
Brian Stuart: yes
Jane Reynolds: yes

ADMINISTRATIVE RESOLUTIONS:

None

OLD BUSINESS:

Bike Connectivity Path

NEW BUSINESS:

None

OPEN TO PUBLIC COMMENT:

None

ANNOUNCEMENTS: The next regularly scheduled meeting is 6 August, there are no applications scheduled at this time to go before the board on that date.

ADJOURN: On motion of Mr. Stuart second by Ms. Daniels and unanimous voice vote, the Chairman adjourned the meeting at 5:47pm.

Pamela Riper
Planning Board Secretary