

BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 10 January 2023 5 p.m.

The following are the minutes of the Wildwood Crest Planning Board as held on Tuesday January 10, 2023, at Borough Hall. The proceedings of the meeting are recorded and available for public inspection.

Solicitor Robert Belasco 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: present	Joe Franco present	Angela Daniels: present
Gerry D'Antonio: present	Fred Mettler: absent	Pete Cava: present
William Bumbernick: absent	Brian Stuart: absent	Vince Tenaglia: present
Bradley Vogdes: present		
Board Secretary Pamela Riper: present		
Solicitor Rob Belasco: present		
Engineer Joe Mohnack: present		

Minutes:

Ms. Daniels moved to dispense with the public reading of the minutes of the meeting of 7 December 2022 and approve as distributed, Mr. Tenaglia second, minutes approved as distributed

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: yes	Angela Daniels: yes
Gerry D'Antonio: yes	Pete Cava: abstain	Vince Tenaglia: yes
Bradley Vogdes: abstain		

This was the annual reorganization meeting.

The Solicitor presided for the election of Officers:

On nomination of Mr. Cabrera, second by Ms. Daniels and unanimous roll call vote Patrick Davenport was elected chairman for the 2023 calendar year.

On nomination of Ms. Daniels, second by Mr. D'Antonio and unanimous roll call vote. Barbara Hunt was elected vice-chairman for the 2023 calendar year.

Resolution PB-A-23-01 was memorialized reflecting election of Officers for the 2023 Calendar Year.

On nomination of Mr. Cava, second by Mr. Melchiorre and unanimous roll call vote, Pamela Riper was appointed secretary for the 2023 calendar year; memorialized as Resolution PB-A-23-02.

On nomination by Mr. Cabrera, second by Mr. Melchiorre and unanimous roll call vote, Robert T. Belasco, Esq. was appointed solicitor for the 2023 calendar year; memorialized as resolution PB-A-23-03.

On nomination of Mr. Cava, second by Mr. D'Antonio and unanimous roll call vote, Marc DeBlasio of DeBlasio & Associates was appointed board engineer for the 2023 calendar year; memorialized as Resolution PB-A-23-04.

On nomination of Mr. Cabrera, second by Ms. Hunt and unanimous roll call vote planners Taylor Design Group were appointed board planners for the 2023 calendar year; memorialized as Resolution PB-A-23-05.

On nomination of Mr. Cava, second by Ms. Daniels, and unanimous roll call vote, memorializing dates, places, and publication of meetings for the 2023 calendar year was memorialized by acclamation and memorialized as Resolution PB-A-23-06.

Mr. Belasco and Mr. Mohnack thanked the Board for the appointments.

Mr. Franco recuses himself from the application hearing.

Applications to be presented to the Board:

PB-22-11 for 6607 Seaview Avenue a/k/a blk 53.02 lots 9 & 10 in Zone R-1A owner Eileen & Robert Young; seeking C" Variance relief to build a one story single family dwelling that covers 39.3% of the lot rather than 35%. Maintaining all required setbacks.

The Applicants, Eileen and Robert Young, were self-represented in connection with this Application.

Mr. and Mrs. Young appeared and they were placed under oath and were sworn in to testify before the Board. Mrs. Young advised the Board that she and her husband have been residents of Wildwood Crest since 2006.

She advised the Board that she and her husband recently retired and they are proposing to construct a single-family dwelling at the subject property where they will permanently reside.

Mrs. Young testified that they purchased the subject property approximately 1.5 years ago with the intent to develop the property shortly thereafter; however, due to the rising cost of construction and economic factors, development was delayed.

Mrs. Young advised the Board that the proposed dwelling will be one-story and contain four (4) bedrooms. She stated that the intent was to develop a single-family dwelling that was consistent with the surrounding neighborhood and which met all applicable area and bulk requirements.

Mrs. Young identified the variance relief sought in connection with the proposed development. She indicated that the modulation of building walls does not comply with the 20ft. requirement; however, architectural elements such as alternating siding and changing roof peaks were incorporated into the design in an effort to create a desirable visual environment.

Thomas A. Pape, R.A. was also present at the meeting on behalf of the Applicant. Mr. Pape was accepted by the Board as an expert in the field of architecture and he was sworn in to testify with respect to the proposed site and architectural plans, consisting of three (3) sheets, dated September 14, 2022, which were received by the Board, and which are incorporated herein as fact.

Mr. Pape reviewed the existing site conditions for the benefit of the Board. The subject property is an oversized, 40ft. x 112.5ft. located in the Borough's R-1A zoning district.

Mr. Pape testified that the Applicant's are proposing to develop a one-story single-family dwelling on site. He advised the Board that the Applicant's originally designed a two-story dwelling which met all required area and bulk requirements; however, due to various economic factors they elected to redesign the structure to better meet their needs and to offset construction costs.

Mr. Pape testified that the original design consisted of a 3,200SF home with a two-car garage. He indicated that the dwelling that's now proposed is one-story and will contain approximately 2,360SF.

Mr. Pape reviewed and confirmed the variance relief requested by the Applicant in connection with the proposed single-family dwelling, which resulted in an increase in overall building coverage.

Mr. Pape advised the Board that the proposed building coverage is 39.3% whereas 35% is permitted. He indicated that the slight increase in building coverage is associated with the design of the structure and the fact that the dwelling is proposed to be one-story.

He indicated that the structure contains four bedrooms and was designed to meet the needs of the family, while eliminating the need for stairs within the home.

Mr. Pape advised the Board that a variance is also requested in connection with the requirement that a modulation of building walls be provided for every 20ft. of the structure.

Mr. Pape testified that the required modulation of building walls is intended to "break-up building elevations;" however, he opined that incorporating the required modulation of building walls would have a significant impact on the design of the proposed structure.

Mr. Pape further testified that the southern wall contains approximately 28ft. which does not contain the required modulation.

He advised the Board that the Applicant incorporated architectural elements into the design of the structure in an effort to meet the intent of the Ordinance to break-up the appearance of the exterior walls of the structure.

Mr. Pape testified that the design of the structure incorporates varying sections of façade, alternating siding treatments, and varying rooflines in an effort to incorporate architectural elements to meet the intent of the modulation requirement.

The Applicant originally requested a variance in relation to required front yard landscaping as 24.5% of stone was proposed to be utilized whereas only 20% is permitted. The Applicant agreed to eliminate this variance and advised the Board that they would comply with the front yard landscape ordinance requirements.

Mr. Pape advised the Board that the Applicant is also requesting a variance in relation to the proposed width of a curb cut as a 10ft. curb cut is permitted whereas a 13ft. curb cut is proposed.

A discussion ensued between the Board and the Applicant in regards to the measurement of a curb cut and the potential impact that a larger curb cut would have on on-street parking.

Mrs. Young expressed concerns about access to the garage and driveway due to the size of the curb cut and the proximity of on-street parking spaces.

Mr. Pape informed the Board that the Applicant is also requesting a variance in relation to the maximum combined building and deck coverage as 45% is permitted whereas 46.1% is proposed. In response to a question posed by the Board, Mr. Pape advised the Board that there is no rear yard deck proposed.

A discussion ensued between Mr. Pape and the Board Engineer, Joseph Mohnack, P.E., in regards to the calculation of deck coverage, specifically in relation to a covered and uncovered portion of a proposed front landing. It was ultimately determined that the combined deck and building coverage amounts to 46.1%, requiring variance relief.

Mr. Pape opined that the application can be granted as there are no substantial detriments to the public good and the application does not impair the intent and/or purpose of the zone plan or zoning ordinance as the proposed development is consistent with the surrounding neighborhood and the proposed use is permitted within the zone.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated December 6, 2022 which was received by the Board and which is incorporated herein as fact. Joseph Mohnack, P.E., a professional engineer and employee with Mr. DeBlasio's office, appeared at the meeting and reviewed said Report for the benefit of the Board, and he note 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.

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.

The Board, after hearing the testimony and reviewing the application and evidence submitted, made the following findings of fact and conclusions of law:

The Applicant is the owner of the subject property and has standing to come before the Board.

The taxes are current on the subject property and the notice requirements have been satisfied by the Applicant.

The Applicants, Eileen and Robert Young, were self-represented in connection with this Application.

The Board received testimony from Mrs. Young in regards to the development of the proposed single-family dwelling.

The subject property is located at 6607 Seaview Avenue, a/k/a Block: 53.02, Lots: 9 & 10, and same is located in the R-1A zoning district

The subject property is an oversized lot measuring 40ft. x 112.5ft. and same is currently vacant and undeveloped.

The Applicant is proposing to construct a four-bedroom, one-story single-family dwelling on site.

In connection with the Applicant's proposal the following 'C' variances are sought:

Maximum building coverage (35% is permitted whereas 39.3% is proposed);

Maximum building and deck coverage (45% is permitted whereas 46.1% is proposed);

Maximum curb cut width (10ft. is permitted whereas 13ft. is proposed); and

Required modulation of building walls.

The Applicant originally sought a variance associated with front yard landscaping requirements; however, during the course of the application the Applicant withdrew this request and indicated that they would comply with requirements of the front yard landscaping ordinance.

Thomas Pape, R.A. was present at the meeting on behalf of the Applicant. Mr. Pape was accepted by the Board as an expert in the field of architecture and he was sworn in to testify in connection with the Applicant's proposal and the basis upon which variance relief is requested

Mr. Pape reviewed the existing and proposed site conditions for the benefit of the Board.

Mr. Pape testified to the design of the proposed single-family dwelling and he identified and discussed the variance relief sought in connection with the Applicant's proposal.

Mr. Pape opined that the Applicant's proposal presents no substantial detriments to the public good and same does not impair the intent or purpose of the Borough's zone plan or zoning ordinance.

At the conclusion of the Applicant's presentation the Board opened the Application up for deliberations.

During deliberations, a majority of the Board expressed concerns in relation to the lack of modulation of building walls and in connection with the proposed 13ft. curb cut.

Board Members agreed that the Applicant did not present sufficient justification to warrant granting a variance for a 13ft. curb cut.

The Board indicated that 10ft. curb cuts exist throughout the Borough and provide more than sufficient access to off-street parking spaces.

Board Members expressed additional concerns about the potential loss of on-street parking spaces in connection with the increased width of the proposed curb cut.

Board Members also took issue with the lack of modulation in the building walls. The Board indicated that the Applicant has the ability to comply with the requirements of the Ordinance with minimal modifications to the plans.

The Board agreed that the required modulation of building walls is an architectural feature which is intended to preserve and maintain a desirable visual environment throughout the Borough.

The Board took no issue with the increase in building coverage and the increase in combined building and deck coverage.

Board Members agreed that the increase in coverage is de minimis and same is offset by the fact that the depth of the lot, at 112.5ft. exceeds the minimum required lot depth of 100ft.

The Board finds that the proposed variance relief associated with maximum building coverage and maximum combined building and deck coverage presents no substantial detriment the public good nor will it impair the intent or purpose of the zone plan and zoning ordinance.

With respect to the curb cut and required modulation of building wall variances, the Board finds that same presents substantial detriments to the zone plan and zoning ordinance and same outweighs the positive criteria put forth by the Applicant.

Findings of Fact accepted on motion of Mr. Tenaglia and 2nd by Ms. Daniels.

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: abstain	Angela Daniels: yes
Gerry D'Antonio: yes	Pete Cava: yes	Vince Tenaglia: yes
Bradley Vogdes: yes		

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

On Motion of Ms. Daniels and 2nd by Mr. Tenaglia to approve building coverage and building and deck coverage.

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: abstain	Angela Daniels: yes
Gerry D'Antonio: yes	Pete Cava: yes	Vince Tenaglia: yes
Bradley Vogdes: yes		

On Motion of Mr. Cava and 2nd by Mr. Tenaglia to approve modulation of south wall.

Patrick Davenport: no	Barbara Hunt: no	Brian Melchiorre: no
Don Cabrera: no	Joe Franco: abstain	Angela Daniels: no
Gerry D'Antonio: no	Pete Cava: no	Vince Tenaglia: no
Bradley Vogdes: no		

On Motion of Ms. Hunt and 2nd by Mr. Vogdes to approve 13' curb cut where 10' is required.

Patrick Davenport: no	Barbara Hunt: no	Brian Melchiorre: no
Don Cabrera: no	Joe Franco: abstain	Angela Daniels: no
Gerry D'Antonio: no	Pete Cava: no	Vince Tenaglia: no
Bradley Vogdes: no		

Board Members Vote: 'C' variance relief relation to maximum building coverage (35% is permitted whereas 39.3% is proposed) and maximum building and deck coverage (45% is permitted whereas 46.1% is proposed), in order to construct a one-story single-family dwelling is GRANTED.

The variances sought in connection with maximum curb cut width and required modulation of building walls are DENIED.

OPEN TO PUBLIC COMMENT:

Mr. Young questions the next step in moving forward with building. She's advised to move forward with construction permit.

Mr. Franco returns to meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

Resolution PB-22-17 denying Application PB-22-09 for 304 E Preston Avenue a/k/a blk 144.01 lots 18.02 & 19.01 in Zone R-2 owner Regina Caristo; seeking 'C' variance relief relation to maximum building and maximum deck frontage in order to extend an existing first-floor deck and second-floor deck by approximately 9.6ft. on each side.

Mr. Tenaglia moved to approve, second by Ms. Hunt;

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: abstain	Angela Daniels: yes
Gerry D'Antonio: yes	Pete Cava: abstain	Vince Tenaglia: yes
Bradley Vogdes: abstain		

Resolution PB-22-18 denying Application PB-22-10 for 5611 Pacific Avenue a/k/a blk 11.01 lots 11 & 12 in Zone R-2 owner Blue Bee Pro; seeking minor subdivision approval, and 'C' variance relief relation to maximum building coverage, maximum building and deck coverage, maximum building height, maximum height of building eave, to permit a modulation of 2ft. of building walls of less than 20% where 20% is required, minimum lot depth and maximum curb cut width, in order to subdivide the existing parcel to create two (2) non-conforming 50ft. x 70ft. lots for the development of single-family dwellings.

Mr. Melchiorre moved to approve, second by Mr.Tenaglia;

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: abstain	Angela Daniels: abstain
Gerry D'Antonio: yes	Pete Cava: abstain	Vince Tenaglia: yes
Bradley Vogdes: abstain		

ADMINISTRATIVE RESOLUTIONS: None

OLD BUSINESS:

Condo/Hotel Conversion
Bike Connectivity Path
Bulkheads

NEW BUSINESS:

Mr. Belasco briefly reviews the Board Voting Procedures and the Burden of Proof for C & D Variances

ANNOUNCEMENTS:

The next regularly scheduled meeting is 1 February, there are no applications scheduled at this time to go before the board on that date.

ADJOURN:

On motion of Mr. D'Antonio, second by Mr. Melchorre and unanimous voice vote, the Chairman adjourned the meeting 7:00pm.

Pamela Riper
Planning Board Secretary