

BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 1 March 2023 5 p.m.

The following are the minutes of the Wildwood Crest Planning Board as held on Wednesday March 1, 2023, 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: absent	Brian Melchiorre: present
Don Cabrera: present	Joe Franco present	Angela Daniels: present
Gerry D'Antonio: present	Fred Mettler: absent	Pete Cava: absent
William Bumbernick: absent	Brian Stuart: present	Vince Tenaglia: present
Bradley Vogdes: absent		
Board Secretary Pamela Riper: present		
Solicitor Rob Belasco: present		
Engineer Will Hanson: present		

MINUTES:

February 21, 2023 Meeting Minutes deferred to April 1, 2023 meeting.

APPLICATIONS:

Joe Franco & Don Cabrera recuse themselves from the application hearing.

Application PB-22-15 for 213 E Columbine Road a/k/a blk 42.01 lots 7 & 8 in Zone R-2 owner Allen E. Hirschmann and Susan Fox Hirschmann; seeking minor site plan approval.

The Applicant was represented by Alan I. Gould, Esquire who presented an overview of the Application and discussed and outlined the relief sought in connection with same.

Mr. Gould advised the Board that the Applicant is proposing to construct a 12' x 20' accessory shed in the rear yard of the subject property which is intended to house a proposed home occupation associated with the creation of pottery.

Mr. Gould informed the Board that home occupations are a permitted conditional use in the R-2 zone, subject to the conditions outlined within §85-83 of the Borough Code.

In connection with this proposal, the Applicant is requesting preliminary and final site plan approval and conditional use approval to permit the proposed home occupation.

Mr. Gould indicated that an accessory shed currently exists within the front yard of the subject property. He noted that the Applicant received all required permits in order to construct and install the existing shed within the front yard.

Mr. Gould informed the Board that after the existing front yard shed was constructed and inspected, the Applicant's were contacted by the Borough and advised that the permits to construct a shed in the front yard were issued in error and same needed to be removed or variance relief.

Mr. Gould advised the Board that the Applicant and the Borough negotiated a resolution to the situation which provided that the Applicant would eliminate the front yard shed and relocate same to the rear yard for the subject property. He indicated that the proposed rear yard shed complies with all required setbacks and the Applicant meets all required conditions governing the operation of a home occupation. Alan Hirschmann, the Applicant and owner of the subject property, appeared and he was placed under oath to testify before the Board.

Mr. Hirschmann testified that he and his wife operate a pottery business on site which is located in the existing accessory shed.

Mr. Hirschmann advised the Board that the existing front yard shed is proposed to be eliminated and relocated to the rear yard. The proposed shed is a prefabricated 12' x 20' A-frame structure which will be installed on a 14' x 22' gravel pad.

The proposed rear yard accessory shed is one-story tall with windows and one door. The shed is fully insulated and the exterior will consist of vinyl siding.

In response to a question posed by the Board in regards to lot coverage and combined building and deck coverage, Mr. Gould indicated that the Applicants do not appear to exceed the maximum permitted coverages allowed by the Ordinance.

Board Members requested that the Applicant confirm the proposed coverages for the record; however, the Applicant was unable to confirm, based upon the information available, that the coverages complied with the requirements of the Ordinance.

Mr. Gould indicated that the Applicant would ensure that the lot coverage and combined building and deck coverage do not exceed the maximum coverages permitted within the Ordinance. As a condition of approval, the Applicant will confirm the proposed lot and combined building and deck coverage, and in the event same exceeds that which is permitted by the Borough's Ordinance, the Applicant will either modify the site to comply or return to the Board for variance relief.

Susan Fox Hirschmann, the Applicant and owner of the subject property, appeared and she was placed under oath to testify before the Board.

Mrs. Hirschmann testified in regards to her employment history and her involvement in the creation of art and pottery over the course of the past 44 years.

Mrs. Hirschmann discussed the method utilized to create pottery and the equipment located within the accessory shed that supports the proposed home occupation.

Mrs. Hirschmann testified in regards to the operation of an electric kiln within the accessory shed and she spent a considerable amount of time addressing safety concerns that were raised in relation to the operation of the kiln.

Mrs. Hirschmann advised the Board that she and her husband moved back to Wildwood Crest in 2021. She indicated that her goal is to bring art to the community and to continue with the creation of pottery. She reviewed and discussed the permitting process that resulted in the construction of the existing front yard accessory shed.

The applicant shall have applied for and received minor site plan approval from the Planning Board in accordance with the applicable requirements of this Ordinance.

There shall be no detrimental impacts to the use, peaceful enjoyment, economic value, or development of the surrounding properties or neighborhoods.

Mrs. Hirschmann reviewed each individual condition and testified that she meets and/or complies with all applicable requirements.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated January 12, 2023, which was received by the Board and which is incorporated herein as fact. Will Hanson, 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.

Mr. Hanson confirmed the relief sought in connection with this Application and reviewed the home occupation conditions that apply to the operation of same.

Mr. Hanson advised the Applicant that compliance with lot coverage and combined building and deck coverage would need to be addressed during compliance review to ensure that maximum permitted coverages are not exceeded.

The Meeting was opened to the public for comment. Five (5) members of the public addressed the Board, namely:

Gail Kelly, owner of the property located at 201 E. Columbine Road, appeared and she was placed under oath to testify before the Board. Ms. Kelly raised concerns in relation to the permitting process and the operation of a business in a residential neighborhood. She expressed concerns about potential impacts to parking and traffic. She raised concerns about safety, specifically related to the operation of a kiln within an accessory shed and she questioned whether the required setbacks were sufficient to protect neighboring properties.

Melissa Roy, owner of the property located at 6508 New Jersey Avenue, appeared and she was placed under oath to testify before the Board. Ms. Roy advised the Board that she has personal experience with pottery and the operation of kilns. She indicated that kilns are safe and present no danger to the public.

Ellen Huberfields, owner of the property located at 211 E. Columbine Road, appeared and she was placed under oath to testify before the Board. Ms. Huberfields expressed concerns regarding the operation of a business in a residential neighborhood. She expressed concerns about the size of the pottery operation and questioned how many clients/customers would be on-site at any given time.

Joe Fields, owner of the property located at 211 E. Columbine Road, appeared and he was placed under oath to testify before the Board. Mr. Fields questioned how big the proposed accessory rear yard shed would be.

Matt Gelfo, owner of the property located at 201 E. Columbine Road appeared and he was placed under oath to testify before the Board. Mr. Gelfo questioned whether or not the shed complied with ADA requirements. He inquired about the potential expansion of the home occupation in the future and the impact that same would have on the surrounding neighborhood.

No additional 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. Stuart and 2nd by Mr. Melchiorre

Patrick Davenport: yes

Brian Melchiorre: yes

Angela Daniels: yes

Don Cabrera: abstain

Joe Franco abstain

Gerry D'Antonio: yes

Brian Stuart: yes

Vince Tenaglia: yes

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

The Board agreed that the Applicant had prevented testimony and evidence establishing that the all required conditions associated with the operation of a home occupation had been met.

The Board found that the proposed accessory rear yard shed meets all applicable area and bulk requirements and same is permitted in the proposed location.

The Board agreed that the benefits associated with granting this application outweigh any potential detriments, and the Board agreed that there will be no detriments to the public good, the zoning ordinance, or the zone plan.

On Motion of Ms. Daniels and 2nd by Mr. D'Antonio for approval of preliminary and final site plan:

Patrick Davenport: yes

Brian Melchiorre: yes

Angela Daniels: yes

Don Cabrera: abstain

Joe Franco abstain

Gerry D'Antonio: yes

Brian Stuart: yes

Vince Tenaglia: yes

Joe Franco & Don Cabrera return to meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

Resolution PB-23-4 for Application PB-22-08 for 6501 Ocean Avenue a/k/a blk 50.04 lots 3, 4, 7 & 8 in Zone M-1A owner Mahalo Wildwood Crest LLC; requesting a continuance of the hearing to the Planning Board meeting of April 5, 2023 without the necessity for the applicant to re-notice property owners within 200ft. and re-advertise public notice in the Press of Atlantic City or the Cape May County Herald.

Mr. Stewart moved to approve, second by Mr. D'Antonio

Patrick Davenport: yes

Brian Melchiorre: yes

Angela Daniels: yes

Don Cabrera: abstain

Joe Franco abstain

Gerry D'Antonio: yes

Brian Stuart: yes

Vince Tenaglia: yes

ADMINISTRATIVE RESOLUTIONS: None

OLD BUSINESS: (Keep all items under old business)

Condo/Hotel Conversion

Bike Connectivity Path

Bulkheads

NEW BUSINESS: None

OPEN TO PUBLIC COMMENT:

Dennis Travascio, owner of the property located at 112 E. Louisville Ave, questions what board members will be able to vote on the continued application PB-22-08 6501 Ocean Avenue.

Board Solicitor Robert Belasco, Esquire replies: being the application was not started it will not affect the board members who can vote on the application.

ANNOUNCEMENTS: The next regularly scheduled meeting is 5 April, there is one application scheduled at this time to go before the board on that date.

ADJOURN: On motion of Ms. Daniels, second by Mr. Melchiorre and unanimous voice vote, the Chairman adjourned the meeting 6:50pm.

Pamela Riper
Planning Board Secretary