

**BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes –5 June 2024 5 p.m.**

The following are the minutes of the Wildwood Crest Planning Board as held on Wednesday June 5, 2024, 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: absent
Don Cabrera: present	Joe Franco: present	Angela Daniels: absent
Gerry D’Antonio: present	Fred Mettler: present	Pete Cava: present
Brian Stuart: absent	Vince Tenaglia: present	Bradley Vogdes: absent
Jane Reynolds: present		
Board Secretary Pamela Ripper: present		
Solicitor Rob Belasco: present:		
Engineer Will Hanson: present		

MINUTES:

Mr. Tenaglia moved to dispense with the public reading of the minutes of the meeting of 1 May 2024 and approve as distributed, Mr. Cava second, minutes approved as distributed.

Patrick Davenport: yes	Barbara Hunt: yes	Don Cabrera: yes
Joe Franco: yes	Gerry D’Antonio: yes	Fred Mettler: yes
Pete Cava: yes	Vince Tenaglia: yes	Jane Reynolds: yes

APPLICATIONS:

Joe Franco and Don Cabrera recuse themselves.

Application PB-24-08 for 6111 New Jersey Avenue a/k/a blk 35 lots 19, 20.01 & 20.02 in Zone B-1 owner Shore Fitness Wildwood Crest (c/o Ron Tedesco); seeking “C” & “D” Variances

The Applicant was represented by John Amenhauser, Esquire who outlined the nature of the application and the relief sought in connection with same.

The subject property is located at 6111 New Jersey Avenue, a/k/a Block 35, Lots 19, 20.01, and 20.02, in the Borough’s B-1 zone and it is currently developed with a commercial building and a parking lot.

The Applicant is proposing to utilize the subject property to run a physical fitness facility with a permanent indoor fitness area and a seasonal temporary outdoor fitness area.

The Applicant is proposing to install two (2) 12ft. x 40ft. tents over the proposed outdoor fitness area.

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

A Site Plan prepared by Vincent Orlando, P.E., P.P., L.L.A, C.M.E. of Engineering Design Associates, P.A.s, consisting of one (1) sheet, dated May 13, 2024, and last revised May 31, 2024.

Mr. Amenhauser reviewed the relief sought in connection with the Applicant’s proposal.

He advised the Board that the Applicant is requesting a D(1) use variance in order to permit the development of a fitness center in the B-1 zone.

Mr. Amenhauser indicated that fitness centers are not permitted in the B-1 zone; however, the Borough has designated the subject property and surrounding neighborhood as an Area in Need of Redevelopment, and in two (2) weeks, when the associated Redevelopment Plan takes effect, the proposed use will be permitted in the zone.

Mr. Amenhauser informed the Board that the Applicant’s proposal involves creating an indoor and outdoor fitness area at the subject property.

The parking lot will be converted to an outdoor fitness area, and only one (1) off-street parking space will be maintained. As a condition of approval, the Applicant will install a sign in the parking lot indicating that the parking space is for employee parking only.

Vincent Orlando, P.E., P.P., L.L.A., C.M.E. with Engineering Design Associates, P.A. appeared before the Board 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 site plan. Mr. Orlando distributed a revised site plan which was received by the Board, and which was marked as Exhibit A-1.

Mr. Orlando testified that the site plan was revised in order to address comments received from the Board Engineer.

The plans were revised to depict existing site triangles, bike racks were added to the site in the location of the remaining off-street parking space, the perimeter fence was modified to comply with the Borough's Ordinance, and a trash enclosure has been depicted on site.

A 4ft. fence is proposed around the perimeter of the outside fitness area. As a condition of approval, the Applicant will install a solid vinyl fence along the eastern side of the property.

Mr. Orlando indicated that the fence would be setback 3ft. along the Sweetbriar Road and New Jersey Avenue property lines. As a condition of approval, the Applicant will install landscaping in front of the proposed fence which will be installed in the fall and limited to 3ft. in height.

Mr. Orlando informed the Board that the subject property is located in a redevelopment zone, and he confirmed that the property contains an existing commercial structure and parking lot.

He advised the Board that the parking lot will be modified to contain an outdoor fitness area, and one (1) off-street parking spot will be maintained for use by the owner/employees.

Mr. Orlando testified that the Applicant is requesting a use variance to permit the operation of the proposed fitness center as it is not a permitted use in the B-1 zone.

Mr. Orlando further testified that in approximately two (2) weeks the Borough's Redevelopment Plan is scheduled to take effect, and fitness centers are a permitted use in the redevelopment zone.

Moreover, Mr. Orlando testified that all of the 'C' variances, with the exception of the variances associated with parking setbacks, lack of curbing, and proposed backout parking, will be eliminated in connection with the Redevelopment Plan.

Mr. Orlando opined that, in light of the fact that the use is permitted in the redevelopment zone, the subject property is an appropriate location for the proposed use.

In addition, Mr. Orlando opined that 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 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.

Mr. Orlando further opined that the Application presents no substantial detriments to public good, nor does it impair the intent or purpose of the Borough's zone plan or zoning ordinance.

In response to a question posed by the Board, Mr. Orlando testified that two (2) 12ft. x 40ft. tents will be erected on the existing asphalt parking lot for shade and protection from the elements.

The tents are proposed to be anchored to the ground and will require a construction permit. As a condition of approval, the Applicant will ensure that the tents are secured consistent with manufacturer's specifications and the uniform construction code.

A barrier is proposed along the eastern side of the property to provide a sound and visual buffer to the neighboring residential properties. No entrance is provided to the exterior fitness area from this location.

Mr. Orlando testified that the only access point to the exterior fitness area is through the indoor fitness center.

Mr. Orlando advised the Board that he believed that a waiver of site plan review/approval was appropriate given the minimal changes proposed to the site.

The asphalt parking lot already exists, and there are no permanent improvements proposed in this location.

He indicated that the grade of the lot will not be modified in connection with this proposal nor will the Applicant's proposal negatively impact drainage.

In response to a question posed by the Board, Mr. Orlando testified that the outside fitness area will be open seven (7) days a week between the hours of 8am and 6pm. As a condition of approval, the Applicant agreed that the outdoor fitness area is only permitted to operate between the hours of 8am and 6pm.

Mr. Orlando indicated that the outdoor area will operate seasonally between April and October, weather-dependent.

Mr. Orlando advised the Board that the outdoor fitness area will also be utilized for fitness classes.

He indicated that porta potties are proposed on site for use in the outdoor fitness area, and these facilities will be maintained by the applicant.

No new signage is proposed with the exception of a mural which has already been painted on the wall adjacent to Sweetbriar Road.

Mr. Orlando testified that the Applicant is providing no off-street parking on site. He noted that the Redevelopment Plan, which takes effect in 2 weeks, does not require off-street parking for commercial uses.

He noted that the Borough has also indicated that it has plans to provide two (2) off-street parking lots that will be open to the general public within the B-1 zone.

Mr. Orlando testified that the Applicant's proposal serves to advance the commercial nature of the B-1 zone, and it fits the goals and objectives of the Redevelopment Plan.

Ron Tedesco, the Applicant, appeared and he was placed under oath to testify before the Board.

Mr. Tedesco testified that he lives in the community and wants to provide fitness opportunities to the residents of Wildwood Crest.

He indicated that the indoor fitness area will be open twenty-four (24) hours a day, seven (7) days a week.

Mr. Tedesco testified that the building will have a security system installed which will include surveillance cameras, motion detectors, and heat sensors.

He confirmed that no access is provided to the outdoor fitness area except through the interior portion of the gym. The door providing access to the outdoor area will be locked at 6pm.

In response to a question posed by the Board, Mr. Tedesco testified that there are bathrooms located within the fitness center, and the porta potties were only proposed for convenience purposes for people working out in the outdoor area.

Board members expressed significant concerns about the utilization of porta potties in the B-1 zone. As a condition of approval, the Applicant must remove the porta potties from the proposed site plan and cannot utilize same in connection with the operation of the outdoor fitness area.

Mr. Tedesco testified that the outdoor fitness area will contain cardio and weight machines.

He confirmed that there will be no music played outside, and the Applicant will ensure compliance with the Borough's noise ordinance.

In response to a question posed by the Board, Mr. Orlando testified that an 8ft. long bike rack is provided adjacent to the sole parking space on site. As a condition of approval, the Applicant will install a second bike rack to the site and depict same on a revised set of plans.

A small trash enclosure is provided on site. Mr. Orlando indicated that the business will not sell food or beverages so trash generated on site will be limited. As a condition of approval, the trash area will be enclosed with a vinyl fence.

In response to a question about the number of fitness classes offered on site, Mr. Tedesco testified that he envisions that a total of twelve (12) classes will be offered between the Shore Fitness locations in North Wildwood and Wildwood Crest. These classes will take place inside and outside.

In response to a question posed by the Board, Mr. Tedesco testified that the tents will be taken down during the off-season.

Mr. Tedesco further testified that rubber floor mats will be installed in the outdoor fitness area, and a small rubber turf mat will be installed in front of the tents to provide an alternate space to work out.

He reiterated that no outdoor music will be provided in the outdoor fitness area.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated May 21, 2024, 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. As a condition of approval, the Applicant will comply with any and all comments/conditions set forth within the Engineer's Report.

Mr. Hanson reviewed and confirmed the relief sought in connection with this Application.

Mr. Hanson confirmed that the subject property is located in a redevelopment zone, and the Redevelopment Plan will take effect in approximately two weeks.

The Meeting was opened to the public for comment. A total of six (6) individuals addressed the Board, namely:

Joel Springer, owner of the property located at 6107 New Jersey Avenue appeared, and he was placed under oath to testify before the Board. Mr. Springer indicated that parking is a problem in the neighborhood and the spots located in front of the gym and adjacent commercial properties are limited to 20-minute parking. Mr. Springer stated that he is excited about the gym, but has concerns about the lack

of parking. He further stated that the porta potties that are proposed are unsightly and are inconsistent with the vision for the B-1 zone.

Raymond Pashuck, owner of the property located at 114 W. Wisteria Avenue, appeared he was placed under oath to testify before the Board. Mr. Pashuck expressed concerns about the proposed porta potties and the 4ft. fence surrounding the outdoor fitness area. He expressed concerns about parking and about pedestrian access to the outdoor area.

Carrie Jennings, owner of the property located at 106 E. Sweetbriar Road, appeared and she was placed under oath to testify before the Board. Ms. Jennings expressed concerns about noise and parking. She indicated that she sleeps during the day and is concerned that the noise from the gym will bother her.

Bernadette Poudziunas, owner of the property located at 106 W. Wisteria Road, appeared and she was placed under oath to testify before the Board. She raised concerns about proposed municipal parking lots in the neighborhood, and the loss of areas to walk dogs. She was directed to raise these concerns with the Board of Commissioners.

Seth Fuscellaro, owner of the property located at 6101 Pacific Avenue, appeared and he was placed under oath to testify before the Board. Mr. Fuscellaro indicated that he supported the application. He advised the Board that the Applicant is proposing a year-round business which will generate buzz in the B-1 zone. He indicated that parking is a non-issue as the redevelopment plan does not require parking for commercial uses. Mr. Fuscellaro stated that this is the first new business application in the B-1 zone in years and it serves to reuse an existing long-standing commercial building within the Borough.

William Jennings, owner of the property located at 106 E. Sweetbriar Road, appeared and he was placed under oath to testify before the Board. Mr. Jennings expressed concerns about parking and noise.

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. D'Antonio and 2nd by Mr. Tenaglia:

Patrick Davenport: yes	Barbara Hunt: yes	Don Cabrera: abstain
Joe Franco: abstain	Gerry D'Antonio: yes	Fred Mettler: yes
Pete Cava: yes	Vince Tenaglia: yes	Jane Reynolds: yes

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

During deliberations, the Board agreed that the benefits associated with the Applicant's proposal outweighed any detriments associated with a lack of off-street parking.

The Board recognized that the Applicant's proposal, to establish a year-round commercial business in the B-1 zone, advances the underlying purpose of the zone, and the Redevelopment Plan that is set to effect in the near future.

The Board found that the purpose 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 further found that the subject property was particularly suited to accommodate the proposed fitness center use, as same will be permitted in approximately two (2) weeks when the Redevelopment Plan takes effect.

The Board determined 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.

Board Members acknowledged that off-street parking will not be required for commercial uses when the Redevelopment Plan takes effect.

On Motion of Mr. Cava and 2nd by Mr. D'Antonio to approve:

Patrick Davenport: yes	Barbara Hunt: yes	Don Cabrera: abstain
Joe Franco: abstain	Gerry D'Antonio: yes	Fred Mettler: yes
Pete Cava: yes	Vince Tenaglia: yes	Jane Reynolds: yes

Joe Franco and Don Cabrera return to the meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

Resolution PB-24-08 for Application PB-24-03 for 7201 Ocean Avenue a/k/a blk 94.03 lots 1, 2, 3, 4, 5.01, 6, 8, 10, 12, 14 & 16 in Zone M-1A owner Madison Wildwood Crest RE, LLC; seeking "C" Variance & Final & Amended Final Site Plan Approval.

Mr. Cava moved to approve, second by Ms. Hunt:

Patrick Davenport: yes

Joe Franco: yes

Pete Cava: yes

Barbara Hunt: yes

Gerry D'Antonio: yes

Vince Tenaglia: yes

Don Cabrera: yes

Fred Mettler: yes

Jane Reynolds: yes

ADMINISTRATIVE RESOLUTIONS:

None

OLD BUSINESS:

Bike Connectivity Path

Fence Ordinance

Planning Board determined that the Ordinance revisions proposed by the subcommittee were reasonable and appropriate and consistent with the Borough's Master Plan, and the Board voted unanimously to formally recommend that the Board of Commissioners of the Borough of Wildwood Crest amend the Borough's Land Development Ordinance.

NEW BUSINESS:

None

OPEN TO PUBLIC COMMENT:

John Gericke III, owner of property located at 110 E. Wisteria. Would like a copy of the fence ordinance the Planning Board is recommending to the Commissioners.

ANNOUNCEMENTS: The next regularly scheduled meeting is 2 July, there is one application scheduled at this time to go before the board on that date.

ADJOURN: On motion of Mr. Tenaglia, second by Mr. D'Antonio and unanimous voice vote, the Chairman adjourned the meeting 7:30pm.

Pamela Riper
Planning Board Secretary