

**BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 2 August 2023 5 p.m.**

The following are the minutes of the Wildwood Crest Planning Board as held on Wednesday August 2, 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: present	Brian Melchiorre: present
Don Cabrera: present	Joe Franco: absent	Angela Daniels: present
Gerry D'Antonio: absent	Fred Mettler: present	Pete Cava: present
Brian Stuart: absent	Vince Tenaglia: present	Bradley Vogdes: present
Board Secretary Pamela Riper: present		
Solicitor Rob Belasco: present		
Engineer Will Hanson: present		

MINUTES:

Ms. Hunt moved to dispense with the public reading of the minutes of the meeting of 5 July 2023 and approve as distributed, Ms. Daniels second, minutes approved as distributed.

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: abstain	Angela Daniels: abstain	Bradley Vogdes: yes
Fred Mettler: yes	Pete Cava: yes	Vince Tenaglia: abstain

Pat Davenport recuses himself from the meeting.

APPLICATIONS:

Application PB-23-04 for 302 E Miami Avenue a/k/a blk 118.01 lots 15 in Zone R-2 owner Greg Zapisek; seeking "C" and Broad "C" variances.

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

Mr. Catanese advised the Board that the subject property is an existing undersized 40ft. x 90ft. lot located in the Borough's R-2 zone.

Mr. Catanese informed the Board that the subject property is currently developed with a single-family semi-detached (duplex) dwelling, and the Applicant is proposing to reconstruct and expand an existing second-floor rear deck.

Mr. Catanese reviewed and confirmed the variance relief sought in connection with the Applicant's proposal, noting that the variances associated with the minimum side yard setback and minimum total side yard setback are pre-existing non-conforming conditions.

Mr. Catanese distributed a packet of six (6) photographs depicting the existing structure and neighboring properties with decks similar to what's proposed by the Applicant, which was received by the Board and marked as **Exhibit A-1**.

Matthew Sprague, R.A with Matthew Sprague Design, LLC appeared before the Board on behalf of the Applicant. Mr. Sprague was accepted by the Board as an expert in the field of architecture, and he was placed under oath and testified from the proposed Architectural Plans, dated March 1, 2023, and revised March 16, 2023, which were received by the Board and which are incorporated herein as fact.

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

He confirmed that the subject property is developed with a 2-story duplex.

Mr. Sprague reviewed the Applicant's proposal for the benefit of the Board.

Mr. Sprague advised the Board that the Applicant is proposing to reconstruct and expand an existing second floor deck located in the rear yard.

The existing second floor deck is constructed above an existing flat portion of the first-floor unit's roof.

Mr. Sprague testified that the existing deck has fallen into a state of disrepair and needs to be replaced. He indicated that the existing deck does not meet current construction code regulations.

Mr. Sprague testified that the proposed deck will be uncovered and same will extend approximately 3.8ft. further to the east and into the rear yard.

The stairs that are proposed to be constructed to access the deck will be compliant with the Borough's code and applicable construction code.

In response to a question posed by the Board, Mr. Sprague indicated that the proposed deck measures 22ft.-0¾inches x 11ft. – 10¼ inches.

The proposed deck will be aligned with the existing side yard setback.

Mr. Sprague testified that the new deck will not be visible from the public right-of-way. He further noted that the structure itself appears as if it were single-family dwelling.

Mr. Sprague pointed to photographs within exhibit A-1 which depict neighboring properties that have decks similar to what's proposed by the Applicant.

He opined that the Applicant's proposal is in keeping with the neighborhood as the proposed second-floor deck is consistent with what exists in the surrounding neighborhood.

In response to a question posed by the Board, Mr. Sprague confirmed that the proposed will not encroach within the required rear yard setback.

Mr. Sprague testified that the only new variance required in connection with the Applicant's proposal is associated with a small increase in maximum combined deck and building coverage as 45% is permitted whereas 47% is proposed.

Mr. Sprague advised the Board that the increase in coverage amounts to approximately 100SF; 70SF of which is associated with the proposed stairs.

Mr. Sprague opined that the Applicant is experiencing a hardship due to the fact that the subject property is an undersized lot which presents practical difficulties in complying with the requirements of the Ordinance and which supports granting the requested variance relief.

Mr. Sprague 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:

Encourages municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;

Secures safety from fire, flood, panic and other natural and man-made disasters;

Provides adequate light, air and open space; and

Promotes a desirable visual environment through creative development techniques and good civic design and arrangement.

Mr. Sprague further 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.

In response to a question posed by the Board, Mr. Sprague confirmed that the Applicant's proposal will result in a deck which complies with current construction codes whereas the existing deck does not.

A discussion ensued between the Board and the Applicant's professional regarding maintaining the existing non-complaint side yard setback. Board members inquired if there was any way that the Applicant could comply with the required 6ft. side yard setback. As a condition of approval, the Applicant agreed to step the proposed deck back 2ft. from the side yard setback to provide a compliant 6ft. side yard setback to the railings of the deck.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated July 18, 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. 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.

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. Cava and 2nd by Mr. Tenaglia

Patrick Davenport: abstain

Barbara Hunt: yes

Brian Melchiorre: yes

Don Cabrera: yes

Angela Daniels: yes

Bradley Vogdes: yes

Fred Mettler: yes

Pete Cava: yes

Vince Tenaglia: yes

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

During deliberations, a majority of the Board agreed that the purposes of zoning identified by Mr. Sprague would be advanced in connection with the Applicant's proposal and support granting the requested variance relief.

A majority of 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.

On Motion of Ms. Daniels and 2nd by Mr. Mettler to approve variance:

Patrick Davenport: abstain	Barbara Hunt: no	Brian Melchiorre: yes
Don Cabrera: yes	Angela Daniels: yes	Bradley Vogdes: no
Fred Mettler: yes	Pete Cava: yes	Vince Tenaglia: yes

Pat Davenport returns to the meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

Resolution PB-23-12 for Application PB-23-07 for 7606 Seaview Avenue a/k/a blk 105 lots 3 & 4 in Zone R-2 owner Gary and Theresa Calibey; seeking minor subdivision.

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

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: abstain	Angela Daniels: abstain	Bradley Vogdes: yes
Fred Mettler: yes	Pete Cava: yes	Vince Tenaglia: abstain

Resolution PB-23-13 for Application PB-23-01 for 6908 Atlantic Avenue a/k/a blk 62.02 lots 1, 2 & 3 in Zone R-1A owner Stephen and Jamie Del Monte; seeking interpretation of administrative officer decision.

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

Patrick Davenport: abstain	Barbara Hunt: abstain	Brian Melchiorre: abstain
Don Cabrera: abstain	Angela Daniels: abstain	Bradley Vogdes: yes
Fred Mettler: yes	Pete Cava: yes	Vince Tenaglia: abstain

Resolution PB-23-14 for Application PB-23-03 for 423-425 Louisville Avenue a/k/a blk 100.2 lots 15.03 & 15.04 in Zone M1-B owner Harold & Brunilda Hurwitz; seeking "C" variance.

Ms. Daniels moved to approve, second by Ms. Hunt:

Patrick Davenport: abstain	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: abstain	Angela Daniels: yes	Bradley Vogdes: yes
Fred Mettler: yes	Pete Cava: yes	Vince Tenaglia: abstain

ADMINISTRATIVE RESOLUTIONS:

Ordinance 1406

The Planning Board of Borough of Wildwood Crest reviewed proposed Ordinance No. 1406 in order to determine if said Ordinance was consistent with the Borough's current Master Plan and most recent Master Plan Reexamination Report, it opened said hearing to the public for comment, and, after extensive discussion and deliberation, the Board ultimately found that the proposed Ordinance was acceptable, subject to certain proposed revisions, and further found that same is consistent with the Borough of Wildwood Crest's Master Plan.

OLD BUSINESS:

Condo/Hotel Conversion
Bike Connectivity Path
Bulkheads

NEW BUSINESS: None

OPEN TO PUBLIC COMMENT:

Joe Viscomi, owner of the property located at 308 E Washington – states he suggests when hearing complaining residents that they should attend more planning board/commissioner meetings and voice their opinions.

ANNOUNCEMENTS: The next regularly scheduled meeting is 6 September, there are three applications scheduled at this time to go before the board on that date.

ADJOURN: On motion of Mr. Cava, second by Mr. Hunt and unanimous voice vote, the Chairman adjourned the meeting 7:05pm.

Pamela Riper
Planning Board Secretary