

BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 4 September 2024 5 p.m.

The following are the minutes of the Wildwood Crest Planning Board as held on Wednesday September 4, 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: present
Don Cabrera: present	Joe Franco: present	Angela Daniels: present
Fred Mettler: present	Brian Stuart: present	Vince Tenaglia: absent
Bradley Vogdes: present	Jane Reynolds: present	
Board Secretary Pamela Ripper: present		
Solicitor Dave Stefankiewicz/Rob Belasco: present		
Engineer Will Hanson: present		

MINUTES:

Mr. Mettler moved to dispense with the public reading of the minutes of the meeting of 7 August 2024 and approve as distributed, Ms. Daniels second, minutes approved as distributed.

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: yes	Angela Daniels: yes
Fred Mettler: yes	Brian Stuart: abstain	Bradley Vogdes: abstain
Jane Reynolds: yes		

APPLICATIONS:

Application PB-24-10 for 8501 Bayview Drive a/k/a blk 140 lots 16, 17 & 18 in Zone R-1A owner David DiStefano; seeking Minor Subdivision & “C” Variance.

Adjourned to 2 October 2024. No additional notice required.

Adjournment accepted on motion of Ms. Hunt and 2nd by Ms. Daniels:

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: yes	Angela Daniels: yes
Fred Mettler: yes	Brian Stuart: yes	Bradley Vogdes: yes
Jane Reynolds: yes		

Joe Franco, Don Cabrera & Angela Daniels recuse themselves.

Application PB-24-09 for 5611 Pacific Avenue a/k/a blk 11.01 lots 11 & 12 in Zone R-2 owner Blue Bee Pro LLC; seeking “C” & “D” Variances.

Adjourned to 2 October 2024. No additional notice required.

Adjournment accepted on motion of Ms. Hunt and 2nd by Ms. Reynolds:

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: abstain	Joe Franco: abstain	Angela Daniels: abstain
Fred Mettler: yes	Brian Stuart: yes	Bradley Vogdes: no
Jane Reynolds: yes		

Full minutes for this application will be on 2 October 2024 Minutes.

Joe Franco, Don Cabrera & Angela Daniels return to meeting.

Solicitor Rob Belasco takes over meeting for Solicitor Dave Stefankiewicz.

Application PB-24-13 for 7700 Atlantic Avenue a/k/a blk 99.01 lots 1.02 & 2.02 in Zone R-2 owner Andrew Mowery & Lisa M. Clark; seeking Minor Subdivision & “C” Variance.
Application formally withdrawn.

Brian Stuart recuses himself.

Application PB-24-11 for 205 E. Syracuse Avenue a/k/a blk 135 lots 15 in Zone R-2 owner Glen & Kimberely Gibbs; seeking "C" Variance.

John Amenhauser, Esquire appeared on behalf of the Applicant, and he outlined the nature of the application, and the relief sought in connection with same.

The subject property is located at 205 E. Syracuse, a/k/a Block 135, Lot 15, in the Borough's R-2 zone and it is currently developed with a 1-story single-family dwelling.

Mr. Amenhauser informed the Board that the Applicant is proposing to raise the existing dwelling to provide ground-floor parking, and an additional floor is proposed to be constructed.

The Applicant is seeking variance relief to address a number of pre-existing non-conforming conditions, many of which will be improved in connection with the proposed development.

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

Architectural Plans entitled "Alterations for Glen & Kim Gibbs, 205 E. Syracuse Avenue, Wildwood Crest, NJ, Block 135, Lot 15," prepared by Christina Amey, R.A., consisting of one (1) sheet, dated May 17, 2024, and last revised August 1, 2024.

Mr. Amenhauser advised the Board that the Applicant's proposal will bring the subject property into conformity with the development that has taken place in the surrounding neighborhood over the years. Glen Gibbs, the Applicant and owner of the subject property, appeared and he was placed under oath to testify before the Board.

Mr. Gibbs advised the Board that he purchased the subject property in September of 2018, and it serves as his principal residence.

He indicated that he is seeking approval to renovate and expand the subject property in order to provide additional living space to accommodate his wife, stepdaughter, and mother-in-law.

Christina Amey, R.A. appeared before the Board on behalf of the Applicant. Ms. Amey was accepted by the Board as an expert in the field of architecture, and she was placed under oath and testified from the proposed architectural plan.

Ms. Amey reviewed the existing site conditions for the benefit of the Board.

She confirmed that the property is currently developed with a 1-story single-family dwelling, and she reviewed and discussed the pre-existing non-conforming conditions at the property.

Ms. Amey testified that the existing structure does not meet current flood code regulations, and the finished floor is below the base flood elevation.

She noted that there is currently no off-street parking provided on site and the existing structure encroaches into the side and rear yard setbacks.

The existing structure exceeds maximum permitted lot and building coverage and there is no modulation in the building walls.

Ms. Amey testified that the Applicant is proposing to raise the existing structure to comply with current flood regulations and to meet applicable base flood elevation.

She indicated that raising the structure will allow the Applicant to provide compliant off-street parking which will benefit the Applicant and the surrounding neighborhood by removing vehicles from the right-of-way.

Ms. Amey testified that the Applicant is proposing minor renovations to the existing first-floor and is seeking approval to construct a second floor after raising the structure.

She advised the Board that the proposed second floor will maintain 4ft. side yard setbacks which is permitted by the Borough's Ordinance.

Ms. Amey testified that the proposed addition is consistent with the existing 4ft. side yard setbacks that are provided by the structure currently located on site.

The new floor will contain modulation in the building walls in an effort to meet the requirement that building walls contain modulation for every 20ft. of the structure.

The proposed renovations will be located within the existing building footprint, and she indicated that the existing garage space that will be raised to the second floor will be converted to living space. A garage is proposed to be constructed at the new first floor.

The Applicant is proposing to reduce the size of an existing deck which will reduce the existing non-conforming front yard setback.

A discussion ensued between the Board engineer and the Applicant's professionals regarding the definition of a story. The Board indicated that the ground-floor, while not containing habitable space, constitutes an additional story resulting in three total stories whereas only two and a half are permitted.

In response to a question posed by the Board, Ms. Amey testified that the ground-floor will provide an 8ft. 3inch ceiling height.

In response to a question posed by the Board, Ms. Amey testified that ground-floor garage will be utilized for parking and storage only.

As a condition of approval, the Applicant offered to record a deed restriction preventing the ground-floor from being used as habitable space.

Ms. Amey 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:

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

Provides adequate light, air and open space;

Promotes the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment; and

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

Ms. Amey further opined that the Applicant's proposal presents no substantial detriments to the public good nor does it in anyway impair the intent or purpose of the Borough's zone plan or zoning ordinance. She distributed a photograph of the subject property and its neighboring properties which was received by the Board and marked as **Exhibit A-1**.

Ms. Amey testified that the existing structure is inconsistent with the development that has occurred along Syracuse Avenue and in the surrounding neighborhood.

Many of the neighboring properties are substantially taller/larger than the subject property and it has become somewhat of an outlier.

Board Members questioned the proposal to include a "study" within the proposed structure which they indicated could be utilized as an additional bedroom.

Ms. Amey testified that the Applicant works remotely, and the proposed study will be utilized as an office for work purposes.

She noted that the study itself is significantly smaller than the proposed bedrooms which eliminates the potential that it will be utilized as a fifth bedroom.

Mr. Gibbs provided additional testimony in regard to his work hours and he confirmed that he works remotely from home throughout the majority of the week.

In response to a question posed by the Board, Ms. Amey testified that HVAC mechanicals will not encroach into the 4ft. side yard setback and will be adequately screened to reduce any visual or noise impacts to neighbors.

Ms. Amey advised the Board that paving is proposed to be removed around the property and porous pavers will be utilized in other areas to reduce overall lot coverage.

The property will be graded, and runoff will be directed to the right-of-way to eliminate any drainage issues at the property.

Borough Engineer Marc DeBlasio, P.E., P.P., C.M.E., prepared an Engineer's Report dated August 28, 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, 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 variance relief sought in connection with this Application.

He advised the Board that the existing rear yard setback is 3.72ft.; however, the setback to the proposed addition measures 16ft.

The Meeting was opened to the public for comment. Four (4) individuals addressed the Board in connection with this application, namely:

Dorothy Keehn, owner of the property located at 204 E. Denver Avenue, appeared and he was placed under oath to testify before the Board. Ms. Keehn raised concerns about the fact that the existing structure provides a deficient rear yard setback and raising the structure while also constructing an additional floor will exacerbate the impacts associated with the deficient setback. She expressed additional concerns about the impact the proposed structure would have on her privacy. She also raised concerns about drainage issues that she anticipates will worsen.

Kathleen Caviston, owner of the property located at 217 E. Syracuse Avenue, appeared and she was placed under oath to testify before the Board. Ms. Caviston advised the Board that she supports the application and has no concerns about the existing and proposed setbacks.

Matthew Bochanski, owner of the property located at 203 E. Syracuse Avenue, appeared and he was placed under oath to testify before the Board. Mr. Bochanski advised the Board that he supports the application. He commended the applicant for maintaining the existing structure, and he was glad to see that drainage issues would be addressed by the Applicant.

Randll Ring, owner of the property located at 207 E. Syracuse Avenue, appeared and he was placed under oath to testify before the Board. Mr. Ring advised the Board that he supports the application, and he spoke highly of the Applicants.

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. Vogdes and 2nd by Mr. Daniels:

Patrick Davenport: yes	Barbara Hunt: yes	Brian Melchiorre: yes
Don Cabrera: yes	Joe Franco: yes	Angela Daniels: yes
Fred Mettler: yes	Brian Stuart: abstain	Bradley Vogdes: yes
Jane Reynolds: yes		

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

Board Members expressed concerns about the fact that the existing setbacks were non-conforming, and that raising the structure while also constructing an additional floor would significantly exacerbate these non-conforming conditions to the detriment of the zone plan and neighborhood.

A majority of the Board indicated that the proposal amounted to an overdevelopment of the site.

In response to concerns raised by the Board, Mr. Amenhauser indicated that the Applicant was willing to relocate the structure on the property to provide a 9.72ft. rear yard setback, which, while still non-conforming, improves the existing non-conforming condition.

Ms. Amey testified that the proposed front stairs could be modified to a switchback design to ensure that same did not trigger the need for a front yard setback variance.

Several Board Members took issue with the proposal to construct three stories whereas only two and half stories are permitted.

They maintained that raising the structure significantly exacerbates pre-existing non-conforming conditions.

On Motion of Ms. Daniels and 2nd by Ms. Hunt for approval:

Patrick Davenport: no	Barbara Hunt: no	Brian Melchiorre: no
Don Cabrera: yes	Joe Franco: yes	Angela Daniels: yes
Fred Mettler: no	Brian Stuart: abstain	Bradley Vogdes: no
Jane Reynolds: no		

Brian Stuart returns to meeting.

RESOLUTIONS MEMORIALIZING BOARD ACTIONS:

None

ADMINISTRATIVE RESOLUTIONS:

None

OLD BUSINESS:

Bike Connectivity Path

NEW BUSINESS:

Gathering of Issues for Subcommittee Meeting

Board Members to email any issues/concerns to Board Secretary for Subcommittee to review.

OPEN TO PUBLIC COMMENT:

Michael Gericke, owner of property located at 5501 Pacific Avenue. Comments on the subcommittee meeting. States it's a good time to discuss consistency. Make sure all the meeting comments are carried through.

ANNOUNCEMENTS: The next regularly scheduled meeting is 2 October, there are three applications scheduled at this time to go before the board on that date.

ADJOURN: On motion of Mr. Melchiorre, second by Ms. Hunt and unanimous voice vote, the Chairman adjourned the meeting 8:45pm.

Pamela Riper
Planning Board Secretary