

THE BOROUGH OF WILDWOOD CREST
Planning Board
Meeting Minutes – 6 February 2019 5 p.m.

Chairman Davenport called the meeting to order at 5:00 p.m. and lead the Pledge of Allegiance. The statement of compliance with the Open Public Meetings act of 1975 was read by the solicitor.

Roll call was taken by the secretary: Alvarado, absent; Cava, absent; Davenport, present; D'Antonio, present; Melchiorre, present; Schiff, present; Sciarra, absent; Hunt, present; Mettler, absent; Gould, present; Thompson, present; Solicitor Belasco, present; Board Engineer Marc DeBlasio, absent; Zoning Official Malia, absent; Secretary Rogers, present.

Mr. Schiff moved to dispense with the public reading of the minutes of the meeting of 16 January and approve as distributed, Mr. D'Antonio seconded. Roll call: Hunt, yes; Melchiorre, abstain; Schiff, yes; D'Antonio, yes; Davenport, yes; Thompson, abstain; Gould, abstain. Minutes approved as distributed.

Application PB-19-01-01 Scott Peter, owner of the property located at 7307 Seaview Ave.; a/k/a blk 95.01, lots 9&10; in the R-2 Zoning District seeking minor subdivision and reorientation of the resulting lots to front on Stockton Rd., requiring "c" variance relief for lot depth on both resulting lots and lot area on the proposed interior lot was brought to the Board by the property owner. Mr. Peter was identified and sworn in. Mr. Peter described the subject property as two 40' X 90' lots fronting on Seaview Ave. He said he is seeking relief and minor subdivision to reorient the lot fronts to Stockton Rd. and create one 50' X 80' lot on the corner and an interior lot with dimensions of 40' X 80'. Both newly created lots require variance relief for lot depth (80' where 100' is required) and the interior lot requires relief for lot area (3200 sq ft where 4000 sq ft is required). Mr. Peter distributed two exhibits; A-1 depicted a single-family dwelling on a lot with 80' frontage and 50' depth; A-2 depicted two single family dwellings on lots each with 40' frontage and 90' depth. He noted Exhibit A-2 showed the "by right" structures that could be built on Seaview Ave. Mr. Peter opined that reorienting the lots to Stockton and constructing a dwelling with a larger façade fronting Seaview Ave. would be more in keeping with the character of the neighborhood. He further opined that having only one dwelling fronting Seaview Ave. would help ease parking congestion on the street.

Chairman Davenport opened Board questions with a query as to the reasoning behind reorienting two conforming lots to create nonconformity and necessitate variance relief. Mr. Peter agreed that he was creating the need for variance but reiterated his opinion that one larger single-family dwelling fronting on Seaview Ave. was nicer than two smaller singles. Chairman Davenport and Board Member Hunt noted examples of similar structures elsewhere in the Borough.

Solicitor Belasco explained the nature of the minor subdivision and reorienting the lot frontages saying the burden was on the applicant to prove that this is appropriate. He added in accordance with the MLUL and NJ case law, Land Use Boards do not look favorably on creating nonconformity.

Chairman Davenport restated that two single family dwellings fronting on Seaview – the current lot orientation – would not require variance relief.

The Solicitor noted three "c"2 variances sought – lot depth on both the corner and interior lot, and lot area on the interior lot.

The Chairman opened the meeting to the public. David and Colleen Ferraro, residents of 303 E. Stanton Rd.; Randall Sowers and Colleen Sowers, residents of 215 E. Stockton Rd.; and Timothy Risser, resident of 7300 Seaview Ave. spoke in favor of granting the subdivision and relief, noting parking issues and the appearance of the neighborhood.

The public portion was closed.

In deliberation, Chairman Davenport said while the renderings look nice, the Board is not considering design, the application pertains to subdivision and variances. He opined that creating nonconformity presents difficulty. *The chairman disputed the remark that changing the lot orientation to Stockton avenue would improve parking. He further opined parking would remain the same regardless of lot orientation.*

Solicitor Belasco read the Zoning Official's report and summarized the Engineer's report for the record. Both are attached hereto and made part hereof.

Board discussion ensued regarding the design of the proposed dwellings resulting in Mr. Peter offering to assure as a condition of approval he would build the single-family dwelling fronting on Seaview in

accordance with the design depicted. Chairman Davenport replied the design was not in consideration and, further, the drawing submitted did not accurately depict size, scale, placement and other requirements for design review, adding orienting two single family dwellings to Seaview Ave. meets the current ordinance and creating the need for variance was troubling.

Board Members Schiff and Thompson said they liked the design as depicted for a larger house fronting Seaview Ave. Mr. Thompson noted neighbors had come out in support.

In summation Mr. Peter opined the benefits of approving the application outweigh the detriments, granting relief would improve the parking situation, neighbors support the project and there is no detriment to the Master Plan.

Solicitor Belasco read the findings of fact into the record, reiterating the variance reliefs and minor subdivision and noting the names and addresses of the five members of the public who testified.

Mr. Schiff moved to accept the findings as accurate; Mr. Thompson provided the second. Roll Call: Hunt, yes; Melchiorre, yes; Schiff, yes; D'Antonio, yes; Davenport, yes; Thompson, yes; Gould, yes. Findings accepted.

Mr. Schiff moved to grant the minor subdivision with three "c"2 variances, Mrs. Gould provided the second.

The Solicitor called the Board to state the reasons for their votes as the roll was taken on the application.

Roll call: Hunt – no, this was a difficult application but does not merit granting; Melchiorre, yes, the neighbors were in favor; Schiff, yes – difficult application; D'Antonio, yes – appreciates time and vision to the application; Davenport, no – existing lots conform, the need for variance is being created, design is not guaranteed; Thompson, yes – likes the idea of a larger house on Seaview, neighbors in favor; Gould, yes, neighbors in favor. Application approved. The secretary noted the map filing of \$100.00 per lot.

There were no resolutions memorializing Board actions.

There were no further administrative resolutions.

Under Old Business, Chairman Davenport informed the Board the NJ Ave subcommittee will meet 19 February to review the proposal before bringing it to the Board.

The issue of residential parking will be retained as old business for future discussion. Mr. Thompson said the Board of Commissioners has begun discussing set-aside parking for Wounded Warriors in addition to ADA parking.

There was no New Business.

No members of the public spoke.

The Board will meet on 6 March 2019.

There being no further business, Chairman Davenport adjourned the meeting on motion of Mrs. Gould, second by Mrs. Hunt, and unanimous voice vote, at 6:15 p.m.

Date_3—6-19 Planning Board Secretary *Deborah Rogers*