

**WILDWOOD CREST LAND USE BOARD MEETING  
ZONING BOARD OF ADJUSTMENT  
Meeting Minutes – 16 February 2021  
Borough Hall, 6101 Pacific Avenue**

**draft**

Vice chairman Vincent Tenaglia called the meeting to order at 5:00 pm, led the Pledge of Allegiance, and read the Open Public Meetings Act and announced emergency exits.

Secretary Rogers took roll call: Bumbernick, absent; Levy, absent; Mettler, absent; Rosenfeld, present; Stuart, absent; Tenaglia, present; Franco, present; Vogdes, present. Solicitor Robert T. Belasco, Esq., present; Secretary Rogers, present. A quorum was declared.

Minutes from the meeting of 19 January were distributed for review and approval or correction. Mrs. Franco moved to approve the minutes as distributed; Mr. Vogdes seconded. Roll call: Minutes approved as distributed.

The board acted on memorializing resolutions and old business:

ZB-21-08: reflecting denial of application ZB-20-12-02: James Mikula, contract purchaser of the property located at 407-415 E Atlanta Ave, a/k/a blk 98.02, lots 7-12, in the M-1B zoning district was memorialized on motion of Mr. Vogdes, second by Mrs. Franco and roll call vote: Rosenfeld, yes; Tenaglia, yes; Vogdes, yes; Franco, yes.

ZB-21-09: reflecting approval with conditions of application ZB-21-01-01: Shannon Michael Nelson, owner of the property located at 110 W Fern Rd., a/k/a blk 58, lots 21 & 22.01 in the R-2 zoning district was memorialized on motion of Mr. Vogdes, second by Mrs. Franco and roll call vote: Rosenfeld, yes; Tenaglia, yes; Vogdes, yes; Franco, yes.

Ms. Levy entered the meeting at 5:05 p.m.

ZB-20-15.AMENDED: James Mikula, owner of the property located at 507-515 E Orchid Rd, condition of approval "d" be modified to reflect a minimum rental period of one week per ordinance section 85-57A.1.a. was memorialized on motion of Mr. Vogdes, second by Mr. Rosenfeld and roll call vote: Levy, abstain; Rosenfeld, yes; Vogdes, yes; Franco, abstain; Tenaglia, abstain.

There were two applications to come before the Board:

ZB-21-02-01: A & DV LLC, owner of the property located at 5605 Atlantic Ave., a/k/a blk 11.03, lots 3.02 & 4, in the M1-C zoning district seeking "c"1, "c"2 and "d"1 variance relief and site plan approval proposing to abandon existing on-site parking for the purpose of creating an outdoor dining area. Applicant represented by Anthony P. Monzo, Esq. Application adjourned at the applicant's request to the meeting of 16 March 2021 with applicant waiving all time constraints on the board, and without need to readvertise or notice. On motion of Ms. Levy, second by Mrs. Franco and roll call vote: Levy, yes; Rosenfeld, yes; Vogdes, yes; Franco, yes; Tenaglia, yes; this action was memorialized as resolution ZB-A-20-10.

ZB-21-02-02: Ernest & Cassandra Benedetto, owners of the property located at 403 E Miami Ave, a/k/a blk 117.02, lot 5, in the M1-B zoning district, seeking "c"2 variance, proposing to create an additional 10' curb cut to allow additional parking for three or four vehicles. Applicant represented by Doreen Corino, Esq. Ms. Corino approached the board, described the application, and presented three exhibits showing the previous structure and curb cut, the current conditions, and the subdivision plan as approved by the Planning Board. Vince Orlando of Engineering Design Associates was recognized as an expert and sworn in. Joseph Mahoney, general contractor for the project, was sworn in as well as Ernest and Cassandra Benedetto, owners of the property. Ms. Corino said the Benedettos have constructed a seven bedroom single family home with two parking spaces rendering the offstreet parking situation infeasible. The house as constructed required no variances. They would like to add a 10' curb cut and driveway to accommodate four

additional cars on the east side of the property. She said they propose to use porous pavers and request relief to increase lot coverage to 66.93% where 55% is permitted.

Mr. Orlando testified the applicant seeks relief to create an additional 10' curb cut on the east side of the property to access a driveway which will accommodate four cars; the drive way will be constructed of porous pavers in the "ribbon" style allowing for grass between the strips to mitigate additional lot coverage. He said the property is located in the beach block where parking is problematic, and there is no on street parking on the north side of Miami Ave. so the proposed curb cut will not be detrimental. He opined this will have a positive esthetic impact as landscaping and greenery will be maintained in the remainder of the front yard, and the parking strips will not be visible from the street; further adding the porous pavers will allow for water seepage and not cause runoff or ponding. Mr. Orlando opined purposes of the act a. and i. are satisfied by removing additional vehicles from on street parking allowing additional members of the public to park, and promotes a desirable visual environment, and there is no detriment to the zone plan or neighborhood. He noted as a condition of approval an as-built survey will be provided to the borough engineer and conditions in the report will be met.

Board members had no specific questions but expressed support for the application.

Joseph Monach of DeBlasio and Associates said concerns expressed in the engineer's report have been satisfied.

No members of the public spoke.

Ms. Corino said their presentation was complete.

Board Solicitor Belasco read the findings of fact into the record. Ms. Levy moved to accept the findings, Mrs. Franco seconded. Roll call: Levy, yes; Rosenfeld, yes; Vogdes, yes; Franco, yes; Tenaglia, yes.

In deliberation all board expressed support for the application noting the benefits outweigh any detriments.

Ms. Levy moved to approve the application, Mrs. Franco seconded. Roll call: Levy, yes; Rosenfeld, yes; Vogdes, yes; Franco, yes; Tenaglia, yes. Application approved

There were no further administrative resolutions.

There was further no old business.

There was no new business.

There is one continued application to come before the Board in March; the Board will meet 16 March at 5 p.m.

On motion of Mr. Tenaglia, second by Mrs. Franco, the meeting adjourned by affirmative voice vote at 5:32 p.m.

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Secretary