

WILDWOOD CREST LAND USE BOARD MEETING
ZONING BOARD OF ADJUSTMENT
Meeting Minutes – 18 May 2021
Borough Hall, 6101 Pacific Avenue

draft

Chairman Bill Bumbernick 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: Bernstein, present; Bumbernick, present; Levy, absent; Mettler, present; Rosenfeld, absent; Stuart, absent; Tenaglia, absent; Franco, present; Vogdes, present. Solicitor Robert Belasco, Esq., present; Secretary Rogers, present; Joe Mohnack of DeBlasio & Associates, present. A quorum was declared.

Minutes from the meeting of 20 April were distributed for review and approval or correction. Mr. Mettler moved to approve the minutes as distributed; Mrs. Franco seconded. Roll call: Mettler, yes; Vogdes, abstain; Franco, yes; Bernstein, yes; Bumbernick, yes. Minutes approved as distributed.

There was one application to come before the board:

ZB-21-05-01: Robert A. Martino and Raymond & Joan Carroll, owners of the property located at 315-317 E. Farragut Rd., a/k/a blk 97.01, lot 4.02; in the R-2 zoning district proposing to expand a second floor deck across the entire front of the dwelling. Applicant represented by John P. Amenhauser, Esq. of the DeWeese Law Firm. Mr. Amenhauser approached the board and introduced property owner Raymond Carroll, and Engineer Brian Murphy; both were sworn in. Mr. Murphy was qualified as an expert. Mr. Murphy gave an overview of the existing conditions and described the proposed deck expansion saying the current decks would be expanded to the width of the building. He described the pre-existing nonconforming conditions on the property saying none of these will be exacerbated. Mr. Murphy said relief is being sought under the “c”2 criteria and opined purposes of the act c. and i. will be fulfilled as expanding the second level outdoor space for the occupants will eliminate the need to use the ground level as outdoor living space and lend light, air, and open space for pedestrians; and the visual environment will be enhanced by the design and more in keeping with other structures in the neighborhood. He said the expansion will create no encroachment. He opined granting the relief poses no harm to the neighborhood or zone plan, and the benefits outweigh any detriments. Answering Mr. Amenhauser, Mr. Murphy described the roof pitch as 5/17 and said the height is 15’ above BFE, adding the front of the building provides modulation through the entryway. He said parking complies with two offstreet spaces for each dwelling.

The applicants presented a photo of the existing structure which was marked A-1.

Mr. Amenhauser said they agree as a condition of approval plans showing accurate rear yard setbacks will be submitted as per the engineer’s report.

Mr. Murphy opined this will be a nice improvement.

Answering board member’s questions, Mr. Murphy and Mr. Carroll said the proposed decks will be fiberglass.

Mr. Mohnack said the comments in the engineer’s report (attached hereto and made part hereof) had been addressed.

At the request of Mr. Bumbernick, Solicitor Belasco reviewed the variance relief sought as expansion of the front deck to 100% of the building width where ordinance permits 66%, saying relief is being pursued under the “c” 2 criteria.

No members of the public spoke.

Solicitor Belasco read the findings of fact into the record noting the exhibit and condition that a revised plan will be submitted. Mr. Mettler moved to accept the findings, Mr. Vogdes provided the second. Roll call: Mettler, yes; Vogdes, yes; Franco, yes; Bernstein, yes; Bumbernick, yes. Findings accepted.

Mr. Mettler opened deliberation saying he sees no detriment and no members of the public spoke regarding the relief. Mrs. Franco said the expansion would be consistent with the neighborhood;

Mr. Bernstein agreed. Mr. Bumbernick questioned the date of and reason for the ordinance change necessitating relief; the secretary clarified the changes were codified February 6, 2019. Mr. Bumbernick said he was struggling with granting relief as the ordinance change was for a reason and only the applicant would benefit from the relief opining no strong point was made. Mr. Vogdes said the relief is in keeping with other structures on the block and they are keeping the front porch. Mr. Mettler pointed out the modulation.

Mrs. Franco moved to approve the application with conditions as noted in the findings, Mr. Bernstein provided the second. In voting board members said the benefits outweigh the detriments, the expansion is in keeping with the character of the neighborhood, the appearance of the building will be enhanced; Mr. Bumbernick dissented saying the ordinance was changed for a reason. Roll call: Mettler, yes; Vogdes, yes; Franco, yes; Bernstein, yes; Bumbernick, no. Application approved with conditions.

There were no resolutions to be memorialized.

There were no administrative resolutions.

There was no old business.

There was no new business.

The Board will meet 15 June at 5 p.m.

On motion of Mr. Bernstein, second by Mr. Mettler, the meeting adjourned by affirmative voice vote at 6:46 p.m.

Secretary