

**WILDWOOD CREST LAND USE BOARD MEETING**  
**ZONING BOARD OF ADJUSTMENT**  
**Meeting Minutes – 19 September 2017**  
**Borough Hall, 6101 Pacific Avenue**

**draft**

Chairman Pete Cava 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: Carr; present; Cava, present; Seijas, present; Stuart, absent; Levy, absent; Mettler, present; Tenaglia, present; Rosenfeld, present; Bumberrick, absent; Solicitor Robert T. Belasco, Esq., present; Zoning Officer Malia, present; Secretary Rogers, present. A quorum was declared.

Minutes from the meeting of 15 August were distributed for review and approval or correction. Mr. Carr to approve the minutes as distributed; Mr. Mettler seconded. Roll call: Carr, yes; Mettler, yes; Seijas, abstain; Tenaglia, abstain; Rosenfeld, yes; Cava, yes; minutes approved.

There was one application to come before the Board.

ZB-17-08-02: Kirk Hewitt, owner of the property located at 5710 Pacific Ave.; a/k/a blk 17, lot 2; located in the R-2 zone, "c" variance relief to construct a single family home. Applicant represented by Andrew D. Catanese, Esq. Mr. Catanese described the project and noted the variance relief sought with lot area, frontage and width as pre-existing conditions; additional relief is requested for building height and eave height. Architect Matt Sprague and Engineer & Planner Scott Brown (of Guzzi engineering) were sworn in and qualified as experts. Mr. Sprague described the proposed construction and gave an overview of the project, saying the design is in keeping with the character of the neighborhood. He said the ground floor will contain a garage and storage area and space for mechanicals and trash containers, the second floor is bedrooms, and the third floor is living space. Mr. Sprague noted each floor will have 8' ceilings. He pointed out the dramatic roofline and additional design features including the turret roof and decks facing Pacific Ave. He said the garage will offer two stacked parking spaces and one is provided in the driveway, which exceeds the parking requirement of the LUO. The floor plans were marked as Exhibit A-1, and the updated site plan was marked Exhibit A-2. Mr. Sprague said the relief for roof and eave height was necessitated by the turret which is approximately 3' higher than permitted, and the remainder of the roof which is approximately 1.5' higher than permitted. He again noted the dramatic roofline is more in keeping with the character of the neighborhood adding the grade on Pacific Ave. is high making the house seem taller. Mr. Sprague opined as to the benefits of the application in that it exceeds zoning regulation regarding offstreet parking, there is enclosed space provided for the trash and mechanicals, and the design is coherent with the design approved for the adjoining lot. In answer to a query from Mr. Mettler, Mr. Catanese reviewed LUO Section 85-67 noting relief is sought from the requirements of the R-2 Zone, not from the "escape clause" provided by 85-67. Mr. Sprague noted the life-safety upgrades in the garage and further noted there is no usable attic space. Scott Brown approached the Board and described the layout in relationship to the undersized lot saying the front and rear yard setbacks conform, and the side yard setbacks conform except for required "jogs". He distributed a handout marked Exhibit A-3 showing the roof heights of various buildings in the neighborhood indicating those with a height greater than 30'. He opined a shorter house would lack the visual appeal, and the proposed height makes more sense in the context of the surrounding structures. He testified as to the variance relief sought under the "c"1 criteria as lot area, frontage and width; side yard and combined setbacks. He opined under the "c"2 criteria, relief is justified as the proposal preserves light, air and open space, it advances the purposes of zoning as a single family home is a better use of the space, offstreet parking is provided due to the proposed height of the structure which necessitates "minor" variance consideration. Mr. Brown said he sees no detriment.

Zoning Official Malia read his report (attached hereto and made part hereof) into the record. He said his concerns have been addressed in the testimony, reiterating that relief is sought from the LUO R-2 requirements, not from Section 85-67.

In summary, Mr. Catanese reviewed the relief sought and said it provides no detriment to the zone plan.

Solicitor Belasco read the variance relief requirements and findings of fact into the record. Relief is sought for pre-existing conditions of lot area, lot frontage, lot width; relief is sought for the new construction for eave height of 25.35' where 21' is allowed, building height of 32.64' where 30' is allowed; and explaining the "c"2 criteria.

The Board deliberated saying the proposed single family dwellings at 5710 and 5712 Pacific Ave. will be a benefit to the neighborhood, the height is of less concern when compared to the surrounding structures, the additional offstreet parking is beneficial, the design is in keeping with the neighborhood and demonstrates the direction currently being taken by the Planning Board in review of the north-south streets, the enclosed mechanicals and trash are beneficial, and the Board likes the overall plan.

Mr. Carr moved to accept the findings of fact; Mr. Tenaglia provided the second. Roll call: Carr, yes, Mettler, yes; Seijas, yes; Tenaglia, yes; Rosenfeld, yes; Cava, yes. Findings accepted.

Mr. Carr moved to approve the application, Mr. Mettler provided the second. Roll call: Carr, yes, Mettler, yes; Seijas, yes; Tenaglia, yes; Rosenfeld, yes; Cava, yes. Application approved.

There was one resolution memorializing Board action:

ZB-17-20: memorializing with conditions application ZB-17-08-01, Kirk Hewitt, owner of the property located at 5712 Pacific Ave, a/k/a blk 17 lot 1, to build a single family home on a 40'x100' lot was accepted with one correction (Paragraph 24, line 2 was amended to read "Mr. Guzzi further testified that the driveway would be paved and would provide for one parking space in the garage itself and two parking spaces on a pad to the west of the structure." ) on motion of Mr. Rosenfeld; second by Mr. Mettler and roll call vote: Carr, yes; Mettler, yes; Seijas, abstain; Tenaglia, abstain; Rosenfeld, yes; Cava, yes.

There were no administrative resolutions.

Under old business, the Solicitor informed the Board members that the Alfe application will be remanded to the ZBA to be heard under "c" criteria.

There was no new business.

No members of the public spoke.

There are no applications to come before the Board at the meeting of 17 October; however, the Board will meet.

On motion of Mr. Rosenfeld, second by Mr. Tenaglia, and unanimous voice vote the Chairman adjourned the meeting by affirmative voice vote at 6:20 p.m.

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Secretary