

WILDWOOD CREST LAND USE BOARD MEETING
ZONING BOARD OF ADJUSTMENT
Meeting Minutes – 21 November 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, present; Levy, present; Mettler, present; Tenaglia, absent; 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 17 October were distributed for review and approval or correction. Mr. Carr moved to approve the minutes as distributed; Ms. Levy seconded. Roll call: Carr, yes; Levy, yes; Mettler, yes; Seijas, yes; Stuart, yes; Rosenfeld, yes; Cava, abstain; minutes approved.

There was one application to come before the Board:

ZB-17-11-01: Kirk Hewitt, owner of the property located at 206 W. Morning Glory Rd.; a/k/a blk 9, lot 44; in the R-2 Zoning District seeking "c" variance relief for lot area, lot width and frontage, sideyard setbacks and eave height to construct a single family home on a 30' x 100' lot. Applicant represented by Andrew Catanese, Esq. Mr. Catanese described the project and outlined the variance relief sought saying the relief for lot area, width and frontage are for pre-existing conditions; the relief for side yard setbacks and eave height affect the proposed construction. Matthew Sprague, Architect, was sworn in and recognized as an expert. Mr. Sprague described the plan for the structure (marked as Exhibit A-1), pointing out that the outside mechanicals and trash corral are contained within the building envelope and noting parking is provided for three cars where the ordinance requirement is for two. He said this is a stand-alone undersized lot surrounded by fully developed properties. He noted that the sideyard setback variance is not for the entire structure, but for limited areas, adding that where the setback is proposed at 4' the walls of the structure will be fire-rated. He showed on the plan the jog requirements have been met. Mr. Sprague said the eave height variance is needed to allow 8' ceiling heights on all floors, but the overall height of the structure conforms, opining that the eave height (proposed at 22.7' where 21' is permitted) will have no negative impact on the neighborhood. He said the two levels of covered porches promote light, air and open space and reduce the mass of the structure. He showed the entry stair on the interior of the building and reiterated the variance relief sought. In answer to Mr. Catanese, Mr. Sprague expressed his opinion that the design is better than one that would conform to ordinance section 85-67, and exceeds the requirements of the ordinance. A color rendering of the proposed house was presented and marked as Exhibit A-2.

Board Member Seijas asked about the height of the structure and how it will look in the neighborhood. Mr. Sprague answered that the height at 29.7' (measured from the BFE) is less than permitted in the zone. Discussion ensued regarding the parking arrangements; the proposed design provides two garage spaces and one in the driveway. There was further discussion regarding the height, with Mr. Catanese reiterating that no overall height variance is required or required, therefore, the applicant did not undertake a neighborhood study of height.

Zoning Official Patrick Malia read his report into the record and explained that variance relief is sought from ordinance section 85-40, not from 85-67.

Mr. Catanese added that if the applicant had chosen to build to the standards of sections 85-67, no ZBA application would have been required and outlined the benefits of the application versus the detriments.

No members of the public spoke.

Mr. Catanese briefly summarized noting the presentation spoke for itself.

Solicitor Belasco read the findings of fact into the record and listed the variance relief sought as lot area, width and frontage; sideyard setback and eave height.

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

Opening Deliberation, Board Member Rosenfeld said he felt the benefits of granting the relief outweigh the detriments, and it is an overall good design. Mr. Stuart agreed adding he had some concerns about the height. Ms. Levy agreed, also, noting a concern about parking. Mr. Metter was also in agreement. Mr. Seijas noted the difficulties of construction on a 30' lot, considering if allowing development promotes the purposes of zoning. He opined that this is a pleasing design and will be beneficial to the neighborhood. Mr. Carr and Mr. Cava expressed agreement with all comments.

Mr. Stuart moved to approve the application and grant all variance relief sought; Mr. Rosenfeld provided the second. Roll call: Carr, yes; Levy, yes; Mettler, yes; Seijas, yes; Stuart, yes; Rosenfeld, yes; Cava, yes. Application approved.

There were no resolutions memorializing Board action.

There was one administrative resolution:

ZB-A-17-23: Requesting refund of balance of escrow amounting to \$124.00 to the Monarch Condominium Association; regarding application ZB-17-03-01 was approved on motion of Mr. Carr, second by Ms. Levy and unanimous roll call vote.

There was no old business.

There was no new business.

No members of the public spoke.

The Board will meet on 19 December; there is one application to come before the Board on that date.

On motion of Mr. Carr, second by Mr. Seijas, and unanimous voice vote the Chairman adjourned the meeting by affirmative voice vote at 6 p.m.

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