

WILDWOOD CREST LAND USE BOARD MEETING
ZONING BOARD OF ADJUSTMENT
Meeting Minutes – 17 December 2019
Borough Hall, 6101 Pacific Avenue

draft

Chairman Alan Seijas called the meeting to order at 5:00 pm, led the Pledge of Allegiance, read the Open Public Meetings Act and announced emergency exits.

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

Minutes from the meeting of 19 November were distributed for review and approval or correction. Ms. Levy moved to dispense with the public reading of the minutes and approve and as distributed, Mr. Tenaglia provided the second. Roll call: Bumbernick, abstain; Levy, yes; Rosenfeld, yes; Tenaglia, yes; Franco, yes; Mettler, abstain; Seijas, yes. Minutes approved as distributed.

There was one application to come before the Board:

ZB-19-12-01: Ronald Gelzunas, Jr. and Angela Daniels, owners of the property located at 7009 Park Blvd., a/k/a blk 74, lots 1 & 2, seeking “c” variance relief for lot frontage, lot width, side yard setback, rear yard setback, roof pitch; property located in the R-1A and R-2 zoning districts. Mr. Gelzunas approached the Board and was sworn in. He explained that although he is an attorney, he was appearing before the Board as a property owner and private citizen. Catherine Lorentz, architect for the proposed project was sworn in, listed her credentials and was qualified as an expert. Mr. Gelzunas described the property as an existing duplex on an odd-shaped lot occupying both the R-1A and R-2 zoning districts. He gave a brief history of the house and prior approvals which were not acted upon. He said they intend to abandon the duplex use and create an internal stair tower for access to the second floor. Ms. Lorentz described the project showing before and after renderings of the project. (These were included in the application packet.) She described the proposed stair tower saying it would occupy space where the exterior stairs now exist saying it will not exacerbate the nonconforming setback. She said other proposed renovations will be within the existing footprint. A vertical expansion over an existing flat roof on the Park Blvd side of the building is proposed but will not encroach any more than the normal roof overhang into the pre-existing nonconforming front yard setback. Ms. Lorentz opined this will create a more pleasing façade with added fenestration, a gabled metal roof and design elements. She said the first floor is currently a three bedroom unit, and the second floor is a two bedroom unit. The kitchen and bathroom will be removed from the second floor and a new master suite created. She described the interior renovations saying the location of the stair tower will not cause the loss of substantial interior space. She added the garage will remain with a man door proposed on the side. Ms. Lorentz said the location of the proposed stair tower will comply with side yard setback requirements (at 6.91’) where the current exterior stair is on the property line. She said the proposed work will increase the lot coverage by approximately 2%. She further noted the garage acts as a buffer to the water tower behind. In answer to Mr. Gelzunas she said she perceives no negative impact to the zone plan, density is being reduced and the exterior changes will create a more pleasing visual environment. She further opines she sees no detriments as eliminating the duplex use brings the property more into compliance with the ordinance, and the benefits of granting relief outweigh any detriments. In answer to questions from chairman Seijas, Ms. Lorentz said the building height is now and will continue to be compliant, the pitch of the proposed roof addition is 5/12. Ms. Lorentz and Mr. Gelzunas said the parking configuration will not change; the garage cannot be used for parking only storage and the ac units are in front of the garage. There are no drainage issues on the property, and landscaping will remain.

Solicitor Belasco read highlights of Engineer Marc DeBlasio's report dated 16 December 2019 into the record saying he notes eight variances, five for pre-existing conditions and three new. Board member Levy asked for clarification that there will be no change to the building footprint. In the public portion Harry Mitchell who resides at 8003 Bayview Ave was sworn in. Mr. Mitchell said the plans as presented are in keeping with the vision for the surrounding area. He said it will be good for the neighborhood.

Solicitor Belasco read the findings of fact into the record noting the relief sought as rear yard, front yard and side yard setbacks; lot frontage and width; roof pitch; the existence of two curb cuts.

Mr. Rosenfeld moved to accept the findings, Ms. Levy provided the second. Roll call: Bumbernick, yes; Levy, yes; Rosenfeld, yes; Tenaglia, yes; Franco, yes; Mettler, yes; Seijas, yes. Findings accepted.

In deliberation Ms. Levy agreed with the testimony from Mr. Mitchell; Mr. Bumbernick said elimination of the duplex use advances the purposes of zoning; all board members were in agreement with Chairman Seijas noting the beautiful architectural plan, and the promotion of a desirable visual environment.

Mr. Mettler moved to approve the application with the usual conditions, Mr. Tenaglia provided the second. Roll call: Bumbernick, yes; Levy, yes; Rosenfeld, yes; Tenaglia, yes; Franco, yes; Mettler, yes; Seijas, yes. Application approved.

There were two resolutions memorializing Board actions:

ZB-19-16: reflecting denial of application ZB-19-11-01: David B. and Ulita A. Nonemaker, owners of the property located at 8104 Seaview Ave., a/k/a block 124, lot 3 was approved on motion of Mr. Tenaglia, second by Ms. Levy. Roll call: Bumbernick, abstain; Levy, yes; Rosenfeld, yes; Tenaglia, yes; Franco, yes; Mettler, abstain; Seijas, yes. Resolution memorialized.

ZB-19-17: reflecting approval with conditions application ZB-19-11-02: Seashore Island Investors, LLP, owner of the property located at 7011 Pacific Ave., a/k/a block 65.01, lots 11 & 12 was approved on motion of Ms. Levy, second by Mr. Tenaglia. Roll call: Bumbernick, abstain; Levy, yes; Rosenfeld, yes; Tenaglia, yes; Franco, yes; Mettler, abstain; Seijas, yes. Resolution memorialized.

Under old business the Solicitor reviewed the JIF pamphlet which has been distributed and highlighted important information and case law, reminding the Board to apply the criteria of the MLUL in their decisions and explaining their immunity protections. He reminded the Board of the criteria for conflict and said in no circumstance can they practice discrimination. He said decisions should be based on the standards of ordinance, the evidence presented and testimony, not the number of members of the public present. Members will be required to sign an affidavit attesting to their attendance and training.

There was no new business.

No members of the public spoke.

The Board will meet on 21 January 2020. There is one application to come before the Board on that date.

On motion of Mr. Mettler, second by Mr. Rosenfeld, the meeting adjourned by affirmative voice vote at 6:10 p.m.

Deborah Rogers
Secretary, Zoning Board of Adjustment