

The regular meeting of the North Wildwood Planning Board was held on the above date & time. Adequate notice of this regular meeting was submitted to the official newspaper of the City of North Wildwood (AC Press) & local newspapers. An Agenda was posted on the main bulletin board at City Hall, on the bulletin board at the Planning/Zoning Office, posted on the front entrance of the Meeting Room well in advance of the meeting date and on the City web site.

A) CALL TO ORDER

Chairman Davis called the meeting to order.

B) OPEN PUBLIC MEETING STATEMENT

Chairman Davis read the Open Public Meeting Act statement.

C) PLEDGE OF ALLEGIANCE

Chairman Davis led the audience in reciting the pledge of Allegiance to the Flag.

D) ROLL CALL

Chairman Robert Davis	Present	Mayor's Designee, Mr. McCullion	Present
Vice Chair Ed Einhaus	Present	Chief Matt Gallagher	Present
Mr. William Green	Present	Councilman David DelConte	Present
Mr. Bill Auty (Alternate 1)	Present	Mr. John Harkins	Absent
Mr. Sevick (Alternate 2)	Present		
		Mr. Dean Marcolongo (Board Solicitor)	Present
		Mr. Ralph Petrella (Board Engineer)	Present
		Mr. Brian Murphy (Board Planner)	Present
		Eric Gundrum, (PB Secretary)	Present

The Board Solicitor announced the Board quorum was established.

E) WEARING IN OF PROFESSIONALS:

The Board Solicitor conducted the truth swearing of the Board's professionals as necessary for tonight's meeting.

F) MOTIONS FOR ADJOURNMENTS: None presented.

The Board Secretary made announcement concerning the microphones and the Board recording process.

G) NEW BUSINESS:

P-15-3-2 – 2110 Atlantic Avenue LLC (Summer Nites B&B)

Block 230, Lot 10

2110 Atlantic Avenue

R-1 Zoning District

Conditional Use/Siteplan Approval – addition of Swimming Pool & Parking

2110 Atlantic Avenue, LLC doing business at 2110 Atlantic Avenue, North Wildwood, NJ has applied to the Board for amended preliminary & final siteplan approval & an amended conditional use permit to add a pool, expanded garage & additional parking to an existing bed & breakfast located at Block 230, Lot 10, commonly known as 2110 Atlantic Avenue. Bed & breakfast operations are conditional uses within the R-1 Zoning District.

Alan I. Gould, Esquire of Wildwood, NJ appeared on behalf of the Applicant & explained the nature of the application to the Board. Mr. Gould advised that the Applicant had previously received a conditional use permit in 2003 to operate a seven (7) room bed & breakfast. That approval also included preliminary & final siteplan approval to include a portion of the parking on a stone parking area. Mr. Gould advised that recently the Applicant had purchased an additional 20 ft of an adjacent property to the west and consolidated that 20 ft into the subject lot. The Applicant now proposes to construct an expanded garage, pool & parking in the additional 20 ft area. Pools & parking are permitted accessory uses in the R-1 Zone. In addition to the amended preliminary & final siteplan approval & amended conditional use permit, the Applicant is requesting a waiver to have additional parking on a stone parking area. Mr. Gould marked as Exhibit A, a packet consisting of seven (7) sheets containing a photograph of the rear of the subject property, a narrative in response to engineer's report, zoning schedule, and four (4) pages of revised plans by Cape Cottage Design, PC revised April 15, 2015 which were received by the Board & incorporated as fact. Mr. Gould advised the Board that the Applicant was required to have 10 parking spaces on site and the proposal provides for 14 parking spaces. The Applicant was previously approved for a conditional use permit in 2003 and has operated the business successfully & without zoning difficulties since that time. The Applicant has recently purchased an additional 20 ft x 100 ft lot on the west side of his property and consolidated that parcel into the subject property which now consists of a 100 ft x 120 ft lot.

Richard Brown, a principal of the Applicant, appeared, was sworn & testified on behalf of the application. Mr. Brown testified that in response to the Board Engineer's review memorandum, he had requested that his plans be revised by his architect to remove a planter on the west property line in the area of the new proposed parking to ensure that the drive aisle complied with the Land Development Ordinance (Ordinance) & did not require a variance. The drive aisle would now be 22 ft 9 inches wide & no variance relief is requested. The Applicant advised that he is having a garage addition to provide for additional parking including parking for an antique vehicle, an ADA & code compliant pool, and three (3) proposed parking spaces on the west side of the property which will be on stone necessitating a waiver.

Board Engineer, Ralph Petrella testified as to the application noting that the concern in his report had been addressed. The Board was in receipt of a review memorandum of Ralph Petrella, Board

Engineer & review memorandum of Brian Murphy, PP, PE, of M.V. Engineering, L.L.C., which were received by the Board & incorporated as fact.

Mr. Green complimented the Applicant and the neighbor developing the property and stated that this plan is culmination of the two plans being developed in harmony with each other. Mr. Sevick had concern regarding the hedgerow & sight distance of the driveway exit. Vice-Chairman Einhaus had a question of the parking spaces dimension which was clarified by the Applicant & by Mr. Petrella. There was concern whether the hedgerow would reduce the effective size of the parking space & the opening of car doors.

The Chairman then opened the application for general public comment; no other members of the public were in attendance at this time. The Chairman offered any comment from the Board members. None was offered. The Chairman then closed the public portion of the meeting.

The Board then discussed the finding of facts on the application. Chairman Davis “volunteered” for the finding of facts. Chairman Davis reiterated to the address and Block & Lot of the property as stated in the application. The Zoning District is R-1 Zoning District. The Board did not hear from member of the public. Board Planner & Board Engineer reported on the application. The Applicant are requesting preliminary & final siteplan approval & an amended conditional use permit. The Board did find that the benefits of the approval for relief outweigh the detriments & that the relief & approval requested can be granted without substantial detriment to the public good & without substantially impairing the intent & purpose of the Zoning Map & Land Development Ordinance. No additions or correction to the finding of facts. The Board accepted the finding of facts.

The Board Solicitor called for a motion to approve the application & Resolution as discussed. Motioned by: Mr. Green & 2nd by Vice-Chairman Einhaus. The Board Solicitor called for any discussion or corrections to the Resolution. The Board proposed no corrections, additions or comments to the Resolution. Based on the affirmative roll-call vote of the Board members. Mr. Sevick was not required to vote on the application.

Board Engineer, Brian Murphy of M.V. Engineering, L.L.C. stepped down on the next application as a result of a conflict of interest.

P-15-3-1 – San Francisco Corp.

Block 28, Lot 7

725 West Spruce Avenue

R-2 Zoning District

Minor Subdivision w/ “c” Variances Approval –

2 residential lots

San Francisco Corp., through the Estate of Joanne M. Kane doing business at 1007 Central Avenue, North Wildwood, NJ has applied to the Board for minor subdivision approval to create two (2) lots from one (1) lot together with a variance for lot depth (98.38 ft proposed where 100 ft is required) to demolish an existing dilapidated, multi-family structure with several encroaching non-conforming conditions & construct two duplexes on two (2) lots at Block 28, Lot 7, commonly known as 725 West Spruce Avenue, North Wildwood, NJ.

Jeffrey P. Barnes, Esq., of the law office of Stefankiewicz & Barnes, LLC appeared on behalf of the Applicant & explained the nature of the application to the Board. Mr. Barnes advised that the subject property is located on the R-2 Zone immediately adjacent to Spruce Avenue. The subject property currently contains an old multi-family dwelling. The Applicant proposes to demolish the structure, subdivide the property & construct one (1) duplex on each of the two (1) proposed lots.

Mr. Barnes marked as Exhibit A-1, a packet containing three (3) sheets with three (3) photographs of the subject property & adjacent properties. These plans were incorporated as fact. The Board was also in receipt of a plan of minor subdivision by GeoSurv New Jersey, LLC consisting of three (3) sheets dated December 1, 2014 & last revised April 13, 2015 which were received by the Board & incorporated as fact.

Mr. Barnes advised the Board that the subject properties were purchased by the Applicant in 1994. In 1998, a portion of the lot was conveyed to the New Jersey Department of Transportation (NJDOT) to allow an order that they could reconstruct & widen the portion of Spruce Avenue leaving the City of North Wildwood. This conveyance left the lot slightly short on lot depth. Mr. Petrella, Board Engineer testified on behalf of the application. Mr. Petrella confirmed the comments by Mr. Barnes that the lots had previously fully conformed with the Land Development Ordinance (Ordinance) however, as a result of conveyance of a portion of a lot to the NJDOT; it is slightly deficient in lot depth. Mr. Petrella suggested that Section 276-34 (a)(1) necessitated the need for variance relief as a result of the conveyance to the NJDOT. Mr. Petrella insisted that several easements may impact the property due to the previous NJSH Rt. 147 road reconstruction. Solicitor Marcolongo opined that since those lots were not in existence at the time of the adoption of the Ordinance & the section quoted by Mr. Petrella does not mention subdivisions, it would be prudent to request the variance relief at this time but that the Board should take serious consideration of the purpose intended by this section of the Ordinance and the benefit that occurred to the municipality as a result of the conveyance which allowed the improvement of Spruce Avenue.

Mr. Petrella advised that there were certain NJDOT right-of-way easements on the properties and that the subdivision plans should be revised to evidence those easements. The Applicant agreed to that as a condition of approval.

Mr. Barnes, upon questioning from the Board, noted that the Applicant may desire to maintain a U-shaped driveway in front of both properties so that vehicles on the property could exit forward rather than backing out onto Spruce Avenue. To that end, the Applicant intends to keep the two curb cuts that are currently on the property.

In support of the application for variance relief, Mr. Barnes argued that currently there are several non-conforming conditions on the lots & if the variance relief is requested those encroachments will be removed. Mr. Barnes also argued that the application can be granted under the C1 criteria in that since there is no available land to purchase there exists a hardship to the Applicant supporting the variance relief requested. He also argued that the lot size is compatible with properties to the south. Finally, Mr. Barnes argued that the Applicant could develop three (3) single family dwellings from this property; however, they are only proposing two (2) residential duplexes. He further argued that he believed that the relief requested can be granted without substantial detriment to the public good &

without substantially impairing the intent and purpose of the Zoning Map & Land Development Ordinance.

The Chairman then opened the application for general public comment; no other members of the public were in attendance at this time. The Chairman offered any comment from the Board members. None was offered. The Chairman then closed the public portion of the meeting.

The Board was in receipt of a review memorandum of Ralph Petrella, Board Engineer dated April 30, 2015 which were received by the Board & incorporated as fact.

The Board then discussed the finding of facts on the application. Chairman Davis “volunteered” for the finding of facts. Chairman Davis reiterated to the address and Block & Lot of the property as stated in the application. The Zoning District is R-2 Zoning District. The Applicant has agreed to conditions of approval as set forth above. Revised plans are necessary. The Board did not hear from member of the public. Board Planner & Board Engineer reported on the application. The Applicants are requesting preliminary & final minor subdivision approval. The Board did find that the benefits of the variance relief outweigh the detriments & that the relief & approval requested can be granted without substantial detriment to the public good & without substantially impairing the intent & purpose of the Zoning Map & Land Development Ordinance. No additions or correction to the finding of facts. The Board accepted the finding of facts.

The Board Solicitor called for a motion to approve the application & Resolution as discussed. Motioned by: Chief Gallagher & 2nd by Councilman DeConte. The Board Solicitor called for any discussion or corrections to the Resolution. The Board proposed no corrections, additions or comments to the Resolution. Based on the affirmative roll-call vote of the Board members. Mr. Sevick was not required to vote on the application.

Board Engineer, Brian Murphy of M.V. Engineering, L.L.C. returned to his seat for the next application.

Board Member & Vice-Chairman Einhaus stepped down on the next application as a result of a conflict of interest.

P-14-12-1 – Paradise Cove, LLC

Block 101.01, Lot(s) 1 & 2
400 & 406 West Spruce Avenue
BB Zoning District
Major Subdivision Approval
12 residential lots, with minor new street

Paradise Cove, LLC doing business at 154 Anselm Road, Richboro, PA has applied to the Board for preliminary & final major subdivision approval to develop 10 buildable lots for single-family residences or duplexes together with 20 ancillary boat slips at Block 101.01, Lots 2, 3 & 3.01, commonly known as 400-406 West Spruce Avenue, North Wildwood, NJ.

Cory J. Gilman, Esq., of the law office of Josephson, Wilkinson & Gilman, Avalon, NJ, appeared on behalf of the Applicant & explained the nature of the application to the Board. Mr. Gilman advised that the Applicant proposes to demolish the existing Coconut Cove Restaurant & Tavern and subdivide the property into 10 residential lots. Each lot will be developed with a duplex or single-family dwelling. He further advised that the Applicant is the owner of Lot 3.01 via a riparian land grant and 20 boat slips are proposed to be developed on that lot which will be ancillary to the residential lots. Mr. Gilman advised that the subject property is located in the Bayside Business Zoning District (BB Zone) and the Applicant is requesting preliminary & final major subdivision approval for this development which he opined was a "by-right" subdivision since no variances are required. Mr. Gilman advised that they have applied to the Cape May County Planning Board & anticipate receiving a waiver from that institution. He further advised that it is anticipated that the rear lot lines along the creek will be slightly modified as a result of the requirements of either the US Army Corps of Engineers (USACOE) or the New Jersey Department of Environmental Protection (NJDEP).

The Board was in receipt of a plan of minor subdivision of Stephen C. Martinelli Land Surveying, LLC (Martinelli Plan) consisting of sheet dated January 28, 2015 & last revised April 15, 2015. This subdivision plan was received by the Board & incorporated as fact. In addition to the subdivision plan, the Board received a proposed subdivision & site development plan by TJD Architects & Engineers, PC (TJD plan) consisting of 10 sheets: Sheet S-1 dated March 16, 2015 & last revised April 29, 2015, Sheets SP-1, SP-4, SP-4.1, SP-5, SP 5.1, SP-6.1, SP-6.2, SP-6.3 & SP-7 all dated January 26, 2015 & last revised April 29, 2015 which were received by the Board & incorporated as fact. Mr. Gilman advised the Board that the Martinelli plan is the official subdivision plan to be filed with the County and the TJD plan constitutes a majority of the detail work that is required for major subdivision approval. Mr. Gilman advised that the TJC plan evidence conforming housing locations & parking plans, however, these are merely depictions to evidence that the lots (which are all conforming) can have the appropriate residential development occur on same. He advised that the Applicant proposes to sell each of the 10 existing lots & that the eventual purchasers will be in charge of development on the lots in a conforming manner.

Stephen C. Martinelli, a licensed land surveyor, appeared, was sworn & testified on behalf of the application from the subdivision plan set forth above. Mr. Martinelli described the existing conditions on site. Mr. Martinelli testified that all of the proposed lots meet or exceed the bulk requirements of the Land Development Ordinance (Ordinance). Mr. Martinelli testified as to the proposed entrances to each lot & the cul-de-sac to be developed. He further testified as to the public access easement that will be developed along the creek & the utility easements for the lots.

Thomas J. D'Arrigo, Sr., a licensed architect with TJD Architects & Engineers, appeared, was sworn & testified on behalf of the application from the subdivision & siteplans submitted to the Board which were incorporated as fact. Initially, Mr. D'Arrigo testified as to the bulkhead on the southwesterly side of the property & the public access boardwalk which will be developed adjacent to same. He advised that the boardwalk will begin approximately halfway down the west side of proposed Lot 2.01. It will run along the westerly side of the property line adjacent to the creek & will tie into the bulkhead along Maryland Avenue. Mr. D'Arrigo testified as a result of questions from the Board as to the three (3) curb cuts on Spruce Avenue and the potential for the planting of street trees on Spruce Avenue in accordance with the Ordinance.

Ralph Petrella, Board Engineer, advised that the existing bulkhead adjacent to Maryland Avenue is owned by the City & has been reinforced with a steel bulkhead in front of same. Mr. D'Arrigo advised that there is to be no complete boardwalk return, however, the work will be completed to provide for public access.

Gary Simonds, a licensed engineer with GS Engineering, appeared, was sworn & testified on behalf of the application & from questioning from the Board. Mr. Simonds advised that all structures on the lot will be removed & all asphalt will be removed as part of this development. It is anticipated that impervious coverage will thereby improve as a result of the subdivision. In terms of grading, he testified that storm water on the lot will all flow towards the cul-de-sac which has a drainage connected to the existing drainage on site.

The matter was open to the public at which time the following members of the public came forward to testify:

A. John Petronglo of 417 West Spruce Avenue appeared, was sworn & testified in opposition to the development stating that he anticipates that the development will block his view of the sunset.

B. Richard Allendorf of West Walnut Avenue appeared, was sworn & questioned whether the existing planter/bollards system on Maryland Avenue would be maintained. He was assured that it would be.

There being no further public comment, the public portion of the meeting was closed.

The Board was in receipt of a review memorandum from Board Planner, Mr. Murphy, dated April 22, 2015 & last revised May 16, 2015 which was incorporated as fact. Mr. Murphy expressed concerns regarding the development of the boat slips which he considered to be a marina. He advised the Board that, in his opinion, they should only grant preliminary major subdivision approval and wait to grant final approval until the NJDEP had completed its review & permitting process. He also expressed concerns regarding the construction plans which he believed required additional modifications.

The Board was also in receipt of a review memorandum of Board Engineer, Mr. Petrella, dated May 7, 2015 which was received by the Board & incorporated as fact. Mr. Petrella, Board Engineer, asked the Board to consider its recommendations of approval set forth therein including requiring the Applicant to speak to the local fire department regarding an additional fire hydrant on Spruce Avenue

James Mikula, a principal with the Applicant, appeared, was sworn & testified on behalf of the application. Mr. Mikula testified that after a long fight with the NJDEP, he believes that he is in the final stages of obtaining his approvals & expects those approvals shortly. Upon questioning from the Board, Mr. Mikula testified that he expects to receive the NJDEP approvals by October 1, 2015 and that demolition would begin by the end of the year.

Mr. Murphy, Board Planner, expressed concerns regarding dredge spoils being stored on site. Mr. Gilman advised that no spoils would be stored. Upon questioning from Mr. Murphy, Mr. D'Arrigo testified that there would be no more than 20 boat slips on site & that the site would be secured during its cleanup. Mr. Murphy also believed that the street lighting was excessive under the current plan.

During Mr. Gilman's initial presentation & during the course of the hearing, the Applicant consented to numerous conditions of approval as set forth below, such as;

1. The Applicant has agreed to deed restrict the lots against commercial use.
2. Single-family dwellings & duplexes are permitted uses in the BB Zone so long as the lots meet all of the bulk requirements of the Zoning District and can accommodate the parking requirements on same. The Board finds that the Applicant has satisfied this burden.
3. The plans call for the development of a public access boardwalk along the westerly property line adjacent to Beach Creek with the boardwalk & other subdivision improvements maintained by the homeowners' association which will be developed by the Applicant in accordance with applicable New Jersey law.
4. The homeowners' association will be created by the developer prior to the sale of lots & construction of improvements.
5. All lots in the subdivision shall be deed restricted to development for single-family dwellings or duplexes only with the deed restriction language approved by the Board Solicitor prior to the filing of same with the County Clerk.
6. The proposed boat slips to be developed on Lot 3.01 are to be used ancillary to the residential development on site. Use of the boat slips shall not be made by the general public & this facility shall not be a commercial operation. The boat slips may be used by owners of the residential units or lots or their tenants, however, the slips may not be rented to the general public. The Applicant shall evidence this condition of approval by way of a deed restriction contained in the deeds to the individual lots & on the lot containing the boat slips. The deed restrictions shall be reviewed by the Board Solicitor prior to the filing of same with the County. All improvements regarding the boat slips, docks & bulkheads shall be paid for and maintained by the developer & the homeowners' association to be created by the developer.
7. All bulkheads & boardwalk constituting the public access area shall be constructed & maintained by said homeowners' association.
8. The Applicant shall prepare & file a 20 ft wide utility easement for areas adjacent to Spruce Avenue to be used for the Stormwater Management System with the Stormwater Management System created & maintained by the homeowners' association.
9. The Applicant may not file the subdivision plan until an appropriate performance bond & escrow fees for all improvements have been posted with the City in an amount determined by the Board Engineer.
10. All lots having frontage on the proposed cul-de-sac, currently known as Paradise Way, shall be deed-restricted so that entrance to the lots shall occur from the cul-de-sac & not from Spruce Avenue.
11. The area waterward of the rear property line shall be given its own lot number & said lot shall be deed restricted into a Conservation Zone.
12. The homeowners' association to be developed for this subdivision shall be responsible for the maintenance of the decorative lights around the cul-de-sac, the construction & the maintenance of the public access area including the boardwalk & bulkhead and the docks, boat slips, gates & signage involved in the construction of the boat slip area on Lot 3.01.
13. All existing structures on the site except for the bulkheads shall be removed prior to the subdivision plat being filed.
14. The landscaping plan may be modified to remove the necessity of street trees adjacent to Spruce Avenue.

15. The individual deeds to the buildable lots & the homeowners' association documents shall include provisions to require that all lots must meet the landscaping requirements of the Ordinance.
16. During development, the Applicant shall comply with the necessary soil conservation plan.
17. The Applicant shall confer with the local fire department regarding the need for an additional fire hydrant adjacent to Spruce Avenue & develop same if requested.
18. Residential development on proposed Lots 2.04 & 2.05 shall be deed restricted so that the portion of the residential property facing Spruce Avenue will give the appearance of the front of a building even though the technical front entrance shall be facing the cul-de-sac. The deed restriction language shall be to the satisfaction of the Board Engineer.
19. The City of North Wildwood shall only be responsible for that portion of the sanitary sewer lines between Manholes 1, 2 & 3 and said sewer lines shall be constructed of SDR-26 PVC including the sewer lateral within Paradise Way.
20. The homeowners' association shall be responsible to maintain the storm sewer system within the subdivision.
21. No part of the site may be used for temporary storage or dewatering of dredged materials (spoils) without City approval.
22. The City of North Wildwood shall only be responsible for the payment of street lighting that is equivalent to what is provided to other areas of the City. Any excess electric use shall be the responsibility of the homeowners' association.
23. The public access walkway shall be tied into the bulkhead at both the eastern & western portions of the property with the tie-in completed to the satisfaction of the Board Engineer.
24. The Board is hereby satisfied with the width of curb cut for all lots adjacent to Spruce Avenue in conformance with NJDOT approval.

The Applicant agreed that if any significant changes to the plans occurred as a result of USACOE or NJDEP modifications to the plans that the Applicant would return to the Board for amended preliminary & final major subdivision approval.

The Board then discussed the finding of facts on the application. Chairman Davis "volunteered" for the finding of facts. Chairman Davis reiterated to the address and Block & Lot of the property as stated in the application. The Zoning District is BB Zoning District. The Applicant has agreed to conditions of approval as set forth above. Revised plans & deed documents are necessary. The Board did hear from several member of the public. Board Planner & Board Engineer reported on the application. The Applicants are requesting preliminary & final minor subdivision & siteplan approval. The Board did find that the benefits of the approval outweigh any detriments & that the relief & approval as requested can be granted without substantial detriment to the public good & without substantially impairing the intent & purpose of the Zoning Map & Land Development Ordinance. No additions or correction to the finding of facts. The Board accepted the finding of facts.

The Board Solicitor called for a motion to approve the application & Resolution as discussed. Motioned by: Mayor Rosenello & 2nd by Mr. Sevic. The Board Solicitor called for any discussion or corrections to the Resolution. The Board proposed no corrections, additions or comments to the Resolution. Based on the affirmative roll-call vote of the Board members.

Board Member & Vice-Chairman Einhaus returned to his seat for the rest of the meeting.

At this time, Chairman Davis requested a 2-minute recess for the meeting. Based on the affirmative roll-call vote of the Board members.

At the conclusion of the 2-minute recess, the board returned to open session.

Proposed Ordinance #1677

Amendments to the Land Development Ordinance,
Chapter 276-1 et. seq.

Board Resolution No. PB-03-2015

Mayor Rosenello explained briefly the purpose merit of the proposed Ordinance. Most are revision & clarifications and revisions to the permissible height requirements. The Mayor also stated that if the Board needs more time to review, Council is in no rush to adopt and can be review at the next month's meeting.

Mayor also pointed out the clarifications to the R-1.5 Zoning District, that two-family dwelling proposal would be now a conditional use application. Chairman Davis also explained the setback requirements. The original purpose of the R-1.5 Zoning District was to act as a buffer to single-family R-1 Zoning District to denser Zoning District closer to the beach and to capture existing non-conforming "beach cottages" properties. Also changes to Bayside Business Zoning District to up the minimal lot size requirement for duplexes, essentially matching the R-2 Zoning District bulk requirements. Some Board members pointed out several necessary revisions that still must be made.

Mayor Rosenello also mentions language relating to "abandonment of properties" was revised to reflect current case law. Board Solicitor Marcolongo suggested that he will review this language.

Mayor Rosenello mentioned Section 276-34(B)(9) was revised to reflect uniform heights & the "charts" with correct & current Zoning Districts.

Chairman Davis related past interpretations of Base Flood Elevations (BFE), top of floor & building height maximum permission height. Mr. Green & Solicitor Marcolongo clarified that a correct interpretation of Section 276-34(B)(9) will be made for future applications.

Solicitor Marcolongo mentioned receiving a letter from previous Board Planner Elizabeth Terenick thanking the Board for her last appointment.

H) **PUBLIC PORTION:**

Chairman Davis then opened the meeting for general public comment. No members of the public were in attendance at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

I) **APPROVAL OF MINUTES:** – Regular: January 14, 2015

The Board Secretary requested deferment to next month's meeting for the approval of the minutes. The Board Secretary's computer obtained a computer virus which has been interfering with

