

The special meeting of the North Wildwood Planning Board was held on the above date & time. Adequate notice of this special meeting was submitted to the official newspaper of the City of North Wildwood (AC Press) and 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.

PLEDGE OF ALLEGIANCE

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

C) ROLL CALL

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

The Board Solicitor announced the Board quorum was established.

The Board welcomes new member Joseph Sevick as Alternate # 2.

C)

D) SWEARING IN OF PROFESSIONALS:

The Board Solicitor announced the truth swearing was necessary & conducted same of the professionals of the Board.

E) MOTIONS FOR ADJOURNMENTS: None presented

Chairman Davis requested adjournment to another future meeting on the voting of the Vice-Chairman position when the full Board was present. All members of the Board present agreed.

F) NEW BUSINESS:

The Board reviewed proposed City Ordinance No. 1636 amending the North Wildwood Land Development Ordinance (Chapter 276-1 et. seq., as amended) to allow one-time Siteplan Exemption for small additions to existing, non-residential uses in limited circumstances. Proposed Ordinance 1636 was introduced by City Council at its regular meeting on October 1, 2013, and specifically amends Chap. 276-63(b)(1)(d). As required by NJSA 40:55D-64, this Ordinance is now referred to the Board prior to the public hearing by city Council & 2nd reading of the Ordinance for recommendations.

The Board scheduled & duly advertised said special public hearing regarding proposed amendments to the City's Land Development Ordinance and said notice was provided as required under NJSA 40:55D-13 & NJSA 40:55D-62.1

The Board reviewed & considered the proposed amendments to the City's Ordinance, accepted public comment regarding same, and found that the proposed amendments were not satisfactory to the Board & was inconsistent with the Master Plan in that, the amendments did not limit the additions or alterations to the rear yard and permitted the additions to violate setback requirements. The new proposed Ordinance to Section 276-63(B)(1)(d) is more broadly worded in that the addition or alteration is not limited to the rear yard & is now permitted to extend to within four (4) feet of any property line. Under the scenario of added improvements to comply with the Americans with Disabilities Act (ADA) unique circumstance, violations of setback requirements would be acceptable. Absent ADA compliance purposes, the Board finds the proposed language in Ordinance No. 1636 to be too broad for the reasons set forth above and the Board is not in the position to recommend its adoption or find same to be consistent with the Master Plan. The Board finds this proposed amendment to be unacceptable. The Board does not recommend that the City Council adopt & approve same.

Mr. Einhaus had questions with Board Engineer Petrella providing an explanation. Board Planner Terenik also provided insight. The Board members discussed the issue & proposed Ordinance intentions. The Board would recommend amendments to Section 276-63(B)(1)(d) which would permit 600 sq. ft. or less in area or no more than 25% additional building coverage, additions or alterations to be exempt from siteplan approval in the event that they are developed for the sole purpose of compliance with the ADA and the additional alteration provides at least a four (4) feet setback from all property lines.

The Board would support certain siteplan exemptions to permit conforming commercial development to construct minor additions or alterations to their conforming structures without the time & expense of siteplan review. In our most recent Master Plan Reexamination Report dated April 10, 2013, the Board made the following recommendation. "For conforming commercial properties, allow an addition or accessory structure limited to 20% of the existing commercial floor area, up to a maximum of 600 sq. ft. to be exempt from siteplan review. All bulk requirements must be met & the additional area cannot result in the need for additional parking or other requirements of the zoning regulations". That recommendation was codified by Ordinance No. 1625 which amended Section 276-

63B(1)(d) to read, "A lawfully existing commercial establishment may apply for a maximum of 600 sq. ft. exterior storage area in the rear yard that conforms with all the requirements of the zone".

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. No comments from the members of the Board.

The Board authorized the Board Solicitor to author a letter to City Council memorializing the Board decision will not be adopted until the Board regular meeting November 13, 2013 which is after the date of City Council action on the Ordinance. The Board then voted on the proposal.

Motioned by: Mr. Harkins, and seconded by Mr. Einhaus. The Board Solicitor called for any discussion or corrections to the Motion. The Board proposed no corrections, additions or comments to the Resolution. Based on the affirmative roll-call vote of the Board members.

G) 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.

H) APPROVAL OF MINUTES: - None presented.

I) MEMORIALIZATIONS: None presented.

J) UNFINISHED BUSINESS: None presented.

K) COMMUNICATION(S): None presented.

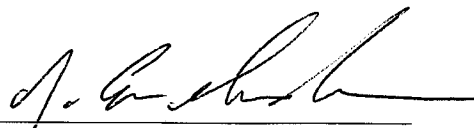
L) REPORTS: None presented.

M) MEETING ADJOURNED:

Meeting was adjourned at 6:28, on motioned by Mr. McCullion & seconded by Mr. Harkins. Based on the affirmative roll-call vote of the Board members.

APPROVED: _____

11/25/13
Date



J. Eric Gundrum
Board Secretary

This is an interpretation of the action taken at the meeting by the Secretary, and not a verbatim transcript.