

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, well in advance of the meeting date & 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 Patrick Rosenello'	Absent
Vice Chair Jodie DiEduardo	Absent	Mayor's Designee Doug Miller	Absent
Chief Matt Gallagher	Absent	Mr. William Green	Present
Mr. John Harkins	Present	Councilman David Del Conte	Absent
Mr. George Greenland	Present	Mr. James M. Flynn	Present
Mr. Bill Auty (Alt. 1)	Present	Mr. Bill O'Connell (Alt. 2)	Absent
Mr. Ron Peters (Alt.3)	Present	Ms. Haas (Alt. 4)	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 that the Board quorum has been established.

D) SWEARING IN OF PROFESSIONALS:

The Board Solicitor did conduct the truth swearing of the Board's professionals as it was necessary for tonight's meeting.

E) MOTIONS FOR ADJOURNMENTS: None presented.

F) MEMORIALIZATIONS:

**Z-17-4-1 John & Lisa Heffren**

Block 280, Lot 9  
322 East 2<sup>nd</sup> Avenue  
R-1 Zoning District  
Minor siteplan approval, with Use Variance approval &  
with several setback “c” variances

John & Lisa Heffren residing at 610 Brumar Drive, Hatboro, PA have applied to the Board for a D-6 height/Use Variance (31.23 ft. proposed where 24 ft. is permitted) together with variances for lot area (2,500 sq. ft. proposed where 5,000 sq. ft. is required), lot frontage/width (25 ft. proposed where 50 ft. is required), number of stories (three (3) proposed where two (2) are permitted), frontyard setback (7.36 ft. proposed where 10 ft. is required), sideyard setback (3 ft. proposed where 8 ft. is required), total sideyard setback (6.1 ft. proposed where 20 ft. is required) & size of parking space (8 ft. 9 in. proposed where 9 ft. is required) to renovate an existing single-family dwelling in the R-1 Zoning District & located at Block 280, Lot 9, commonly known as 322 East 2<sup>nd</sup> Avenue.

The Board Solicitor called for a motion to approve the memorialization as discussed. Motioned by: Mr. Greenland & 2nd by Mr. Harkins. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote being affirmative, the Memorialization of the Resolution was approved by the Board. Ms. Haas abstained on the memorialization and Mr. Auty & Mr. Peters were not required to vote on the memorialization.

**Z-16-12-3 John & Carol Wagner and David & Marybeth Cross**

Block 6.04, Lot 1  
2 St. Demetrios Avenue  
R-2 Zoning District  
Major siteplan approval with Use Variance approval &  
Several setback “c” variances

John & Carol Wagner and David & Marybeth Cross residing at 33 Dorset Drive, Medford, NJ have applied to the Board for preliminary & final siteplan approval, a D-1 Use Variance for a use not permitted in a Zoning District & variances for frontyard setback (7 ft. proposed where 10 ft. is required), sideyard setback (8 ft. where 10 ft. is required), number of parking spaces (8 spaces proposed where 10 spaces are required) & a waiver for width of curbcuts (Two (2) 25 ft. curb cuts where 20 ft. is permitted) to construct a quadraplex in the R-2 Zoning District for property located at Block 6.04, Lot 1, commonly known as 2 St. Demetrios Avenue.

The Board Solicitor called for a motion to approve the memorialization as discussed. Motioned by: Mr. Green & 2nd by Mr. Greenland. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote being affirmative, the Memorialization of the Resolution was approved by the Board. Ms. Haas abstained on the memorialization and Mr. Auty & Mr. Peters were not required to vote on the memorialization.

**Z-14-4-1(A) Joe DiMauro**

Block 184, Lots 1 & 14

505 New York Avenue

R-2 Zoning District

Minor siteplan approval, with Use Variance approval & several setback "c" variances

Joseph V. DiMauro residing at 64 Cooper Street, Woodbury, NJ has applied to the Planning/Zoning Board for preliminary & final amended siteplan approval to consolidate two (2) lots into one (1) lot & create a parking lot for a multi-family dwelling, together with a D-2 Use Variance for the expansion of a nonconforming use (a multi-unit building in an R-2 Zone) & variances for frontyard setback (5.8 ft. proposed where 10 ft. is required), rearyard setback for an accessory structure (3.7 ft. proposed where 4 ft. is required), width of curbcut (29 ft. proposed where 20 ft. is permitted), variance relief to permit a concrete fence & parking on a crushed stone surface in the R-2 Zoning District for property located for property located at Block 184, Lots 1 & 14, commonly known as 505 New York Avenue.

The Board Solicitor called for a motion to approve the memorialization as discussed. Motioned by: Mr. Greenland & 2nd by Mr. Green. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote being affirmative, the Memorialization of the Resolution was approved by the Board. Ms. Haas & Mr. Harkins abstained on the memorialization and Mr. Peters was not required to vote on the memorialization.

G) **NEW BUSINESS:**

**Z-17-2-1 William & Judith Francisco**

Block 149, Lot 23

225 W. 10<sup>th</sup> Avenue

R-2 Zoning District

Minor siteplan approval, with Use Variance (Height) approval & several setback "c" variances

William & Judith Francisco residing at 1617 East Eyre Street, Philadelphia, PA, have applied to the Board for Variance Relief for lot area (3,000 sq. ft. proposed where 4,000 sq. ft. is required), lot frontage/lot width (30 ft. proposed where 40 ft. is required) & a D-6 height/Use Variance (34 ft. 9<sup>3</sup>/<sub>4</sub> in. proposed where 24 ft. is permitted) to construct a single-family dwelling on property located a Block 149, Lot 23, commonly known as 225 West 10<sup>th</sup> Avenue.

Eric Garrabrant, Esq. of Wildwood, N J appeared on behalf of the Applicants & explained the nature of the application to the Board.

Mr. Garrabrant advised that the subject property is a 30 ft. by 100 ft. lot which is located in the R-2 Zoning District. He advised that the Applicants purpose to demolish the existing single-family dwelling on site & construct a new single-family dwelling on this undersized lot which requires Variance Relief for the existing nonconforming conditions for lot area, lot frontage/width. Mr.

Garrabrant further advised that the Applicants are requesting a D-6 height/Use Variance to permit the structure to be built to a height of 34 ft. 9<sup>3</sup>/<sub>4</sub> in. where 24 ft. is permitted.

William Francisco appeared, was sworn & testified on behalf of the application. He advised that he is the owner of the subject property along with his wife & they have owned the property for the last 21 years. Mr. Francisco testified that approximately 10 years ago they placed a 2nd floor on the structure; however, they now desire to construct a year round home for their family. They intend to demolish the existing structure & build a new home. Upon questioning from Mr. Garrabrant, Mr. Francisco advised that the area around his home is often subject to flooding, although he acknowledged that he received no flooding during the Jonas Storm. Upon questioning from Mr. Garrabrant, Mr. Francisco testified that they are proposing a den on the 1st floor that would be used for a home office & not a bedroom.

Joseph Garramone, an architect with Garramone Associates, LLC, appeared, was sworn & testified on behalf of the application & from his Development Plans, last revised March 10, 2017, which were received by the Board & incorporated as fact. Mr. Garramone testified as to the existing conditions on-site & the proposed development by the Applicants. He testified that he has maintained the five (5) ft. sideyard setbacks on either side of the building & that the structure will meet all setbacks & coverage requirements of the Land Development Ordinance. Mr. Garramone testified that currently the 1st floor of the building is located at elevation eight (8) feet & is three (3) feet below base flood elevation (BFE). He also testified that the Applicants are requesting a D-6 Height/Use Variance to construct the home to a height of 34 ft. 9<sup>3</sup>/<sub>4</sub> in. where 24 ft. is permitted in the Zoning District as this is an undersized lot. Mr. Garramone testified as to the floor plan of the building which will consist of a four (4) bedroom home with 2,611 sq. ft. of habitable space. Mr. Garramone testified that the Applicants could reduce the height of the building by reducing the pitch of the roof; however, Mr. Garramone believes that the proposed pitch provides for a more aesthetically pleasing structure.

Mr. Garrabrant stated that the subject property is adjacent to an existing marina to the west & stated that if the subject property was a 40 ft. wide lot that there would need to be height requirements. He further noted that the R-2 Zoning District encourages the retention of single-family dwellings. Mr. Francisco testified that he believes the height is generally compatible with the height of structures in the neighborhood & that the house to the north of him is higher than he proposed for his building.

Mr. Petrella, Board Engineer, to which the Board was in receipt of a review memorandum of Mr. Petrella dated April 7, 2017 which was incorporated as fact. Mr. Murphy, Board Planner, prepared a report memorandum, dated April 4, 2017, to which the Board was in receipt, and which was incorporated as fact.

Chairman Davis then opened the application for general public comment. No public members wished to speak on behalf of the application or to the Board at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

The Board members then discussed & summarized the Use Variance/siteplan application as presented. The Board then discussed the finding of facts on the Use Variance/siteplan application. Each Board member gave reasoning for their view of the facts & the application as it relates to the application. Mr. Greenland "volunteered" for the finding of facts. Mr. Greenland reiterated to the

address and Block & Lot of the property as stated in the application. The Zoning District is R-2. The Applicant is the owner to the subject property and, as such, has standing to come before the Board requesting siteplan approval to demolish an existing single family dwelling and construct a new single-family dwelling with increased height beyond what is permitted under Ordinance. A "D-6" Height/Use Variance is required for increased height not permitted under the Ordinance (Sect. 276-34(B)(9) on the subject property. The Applicants propose to demolish an existing single-family dwelling on-site which is currently below base flood elevation (BFE). The new building will be constructed with a 1st floor at elevation 11 feet to comply with City Ordinance regulations, the Land Development Ordinance and to protect the property from flooding. The building height shall not exceed 34 ft. 10 in. in order to provide a minimal buffer in the construction of the structure. The Applicant new single-family home, while increasing the height for flood prevention. The Applicant's experts testified that special reasons exist for the granting of the "D-6" Use Variance, specifically, since the proposed development is compatible with the neighborhood's existing development & this promotes the public health, safety & welfare. The proposed buildings, which meet all building coverage's, will promote adequate light, air & open space & will create a desirable visual environment. The Board specifically finds that the development plans will raise habitable area of this building above BFE & will result in the construction of a building fully in conformance with current construction codes. Therefore, the Board is satisfied that special reasons exist for the granting of the "D-6" Use Variance. Similarly, the Board finds that the special reasons justification set forth above for the "D-6" variance is equally applicable to the "C" variances requested by the Applicants. In addition, the Board finds that the benefits of the variance relief outweigh any detriment, specifically, with the Board finding that the proposed development will now provide for two (2) off street parking spaces. The Applicant's planning expert testified that, the proposed development is compatible with the neighborhood, 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. Testimony was provided that the area & the size of the subject property. The purposes of the zoning law would be advanced by the proposed development, The Applicant has satisfied the requirements for Use Variance/siteplan approval. No additions or correction to the finding of facts. No discussion on the facts.

The Board Solicitor called for a motion to approve the Use Variance/siteplan application as discussed. Motioned by: Mr. Green & 2nd by Mr. Green. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote of seven (7) affirmative votes, the Use Variance/siteplan application was approved by the Board. Board members Ms. Haas was not required to vote on the application.

H) PUBLIC PORTION:

Chairman Davis then opened the meeting for general public comment. No public members wished to speak on behalf of the meeting or to the Board at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

I) APPROVAL OF MINUTES: – April 12, 2017 Regular meeting

The Board Solicitor presented to the Board the approval of April 12, 2017 Regular Meeting minutes. The Board Solicitor called for any discussion or corrections to the minutes. Board Secretary

mentioned correction to Mr. O'Connell attendance. Mr. Green mentioned some minor corrections/edits which can be corrected upon adoption. No discussion to the minutes. Motioned as amended, as proposed by Mr. Harkins & 2<sup>nd</sup> by Mr. Greenland. Based on the affirmative majority roll-call vote of the Board members to memorialize the Meeting Minutes, the Meeting Minutes were approved. Ms. Haas abstained on the memorialization.

J) UNFINISHED BUSINESS:

The Board Solicitor then announced to the Board to authorize & approve Resolution No. PB-03-2017 for approving a proposal/enter into a contract to select a NJ Professional Planner to prepare a Master Plan Re-Examination by Heyer & Gruel & Associates. A proposal was submitted to the Board for review. The Board has a need to acquire the services of a NJ professional planner to assist the Board in preparing the City's Master Plan Re-Examination as required under the NJ Municipal Land Use Law (NJMLUL) NJSA 40:55D-1 et. seq. with said proposal/contract negotiated as a non-fair & open contract pursuant to the provisions of NJSA 19:44A-20.5 et. seq.;

The Board Solicitor called for a motion to approve Resolution No. Resolution No. PB-03-2017 as discussed. Motioned by: Mr. Harkins & 2<sup>nd</sup> by Mr. Greenland. Based on the affirmative roll-call vote of the Board members, motion was approved.

K) COMMUNICATION(S):

**Future Master Plan amendments/planning:**

Chairman Davis requested as an agenda item be placed on the agenda that the Board could comment on new Master Plan topics and/or Ordinance amendment suggestions. The Board Secretary would keep a list of Ordinance amendment suggestions. The Board Secretary distributed a list of possible amendments to the Ordinance for review by the Board. The listing was requested by the City Administration. Chairman Davis recommended that this discussion be left on the Agenda for future discussion of the Board.

The Board Chairman announced a pending Master Plan Re-Examination process to the Board to amend the Land Development Ordinance to reflect changing development condition/patterns of the City.

The Board Secretary announced the receipt of a formal written request to withdraw the following application:

**JFM of Wildwood NJ, LLC** (aka McDonalds site)  
Block 191, Lot 1  
130 W. Spruce Avenue, North Wildwood  
Application Number: Z-16-12-5

The Board Secretary announced the receipt of a formal written request to schedule a Planning/Zoning Board Special Hearing to review the following applications:

Special Planning Board Meeting request – Cooper/Levenson, attorneys for Applicant  
**New Cingular Wireless PCS, LLC (aka Morey's Pier)**  
Block 288.02, Lot 1  
2501 Boardwalk (aka Morey's Pier), North Wildwood, NJ  
Application Number: Z-17-4-2

**New Cingular Wireless PCS, LLC (aka Westy's Restaurant)**  
Block 222, Lot 1  
101 E. Walnut Avenue, North Wildwood, NJ  
Application Number: Z-17-4-3

The Board discussed the request and based on Board members & Professionals schedules & noticing requirements under the NJ MLUL, the Board could not ratify a Special Meeting date.

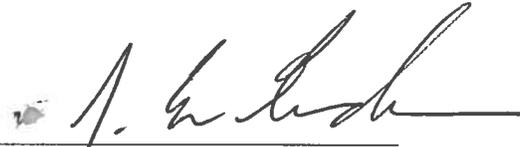
L) REPORTS: None presented.

M) MEETING ADJOURNED:

Meeting was adjourned at 7:40pm, on motioned by Mr. Green & 2nd by Ms. Haas. Based on the affirmative roll-call vote of the Board members, the motion to adjourn was approved.

APPROVED: \_\_\_\_\_

6/28/17  
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.*

